

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

October 15, 2002

2:00 p.m.

The Council of the City of Roanoke met in regular session on Tuesday, October 15, 2002, at 2:00 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

PRESENT: Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., Linda F. Waytt and Mayor Ralph K. Smith-----6.

ABSENT: Vice-Mayor C. Nelson Harris----- 1.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by The Reverend Delmar L. Jackson, II, Senior Pastor, Abundant Grace Assembly.

The Pledge of Allegiance to the Flag of the United States of American was led by Mayor Smith.

PRESENTATIONS AND ACKNOWLEDGMENTS:

PROCLAMATIONS-DRUGS/SUBSTANCE ABUSE-YOUTH: The Mayor presented a proclamation declaring October 25 - November 3, 2002, as Red Ribbon Week.

PROCLAMATIONS -FIRE DEPARTMENT -EMERGENCY MEDICAL SERVICES: The Mayor presented a proclamation declaring Sunday, October 27, 2002, as "Change Your Clock, Change your Battery" Day.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately.

MINUTES: Minutes of the work session of City Council held on Monday, July 29, 2002; and the regular meeting of City Council held on Tuesday, September 3, 2002, were before the body.

(For full text, see Minutes on file in the City Clerk's Office.)

Mr. Carder moved that the reading of the Minutes be dispensed with and that the Minutes be approved as recorded. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

ACTS OF ACKNOWLEDGMENT-CITY COUNCIL: A communication from Mayor Ralph K. Smith requesting a Closed Meeting to discuss the 2002 Citizen of the Year Award, pursuant to Section 2.2-3711 (A)(10), Code of Virginia (1950), as amended, was before Council.

Mr. Carder moved that Council concur in the request of the Mayor to convene in Closed Session. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

OATHS OF OFFICE-COMMITTEES-ROANOKE NEIGHBORHOOD PARTNERSHIP: A communication from James P. Armstrong tendering his resignation as a member of the Roanoke Neighborhood Partnership Steering Committee, effective October 18, 2002, was before Council.

Mr. Carder moved that the resignation be accepted and that the communication be received and filed. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

OATHS OF OFFICE-COMMITTEES-ROANOKE CIVIC CENTER-ARCHITECTURAL REVIEW BOARD-TRANSPORTATION SAFETY-PENSIONS:The following reports of qualification were before Council:

Kyle G. Ray as a member of the Architectural Review Board, for a term ending October 1, 2002.

Paul P. Anderson and Mark E. Feldmann as members of the Roanoke Civic Center Commission, for terms ending September 30, 2005.

E. W. Tibbs as a member of the City of Roanoke Transportation Safety Commission, for a term ending October 31, 2004; and

Efren T. Gonzalez as a member of the Board of Trustees, City of Roanoke Pension Plan, for a term ending June 30, 2006.

Mr. Carder moved that the report of qualification be received and filed. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

FIRE DEPARTMENT-EMERGENCY MEDICAL SERVICES: The City Manager submitted a communication advising that in order to be in compliance with the Department of Health, Office of Emergency Medical Services, EMS Licensor requirements, the City of Roanoke is required to have an Operational Medical Director (OMD) appointed to provide medical oversight for provision of prehospital care, which is a volunteer position, generally filled by a physician who is not a City employee, and no fees are currently involved; and pursuant to the agreement, the City will defend and indemnify the OMD when any judgment or settlement results from actions which are done in good faith, done in a reasonable belief that such actions are in the best interest of the City and are in furtherance of the official policies and practices of the City, are within the scope of authority of the OMD, are within the course of serving as the OMD, and are not willful, malicious or wanton.

The City Manager recommended that she be authorized to execute, on behalf of the City of Roanoke, a contract approved as to form by the City Attorney with the qualified candidate to fill the position of Operational Medical Director.

Mr. Carder offered the following resolution:

(#36090-101502) A RESOLUTION authorizing the execution of a contract for an Operational Medical Director (OMD) for Fire-EMS to provide medical oversight for the provision of prehospital care.

(For full text of Resolution, see Resolution Book No. 66, page 455.)

Mr. Carder moved the adoption of Resolution No. 36090-101502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

HOUSING/AUTHORITY-PARKING FACILITIES: The City Manager submitted a communication advising that on July 1, 2002, Council accepted a proposal of Lancor Parking, L.L.C. to provide management and operation services for certain City owned and/or controlled parking facilities, effective August 1, 2002, for management and operation of the Church Avenue, Market Square, Tower, Williamson Road, Gainsboro and Century Station Parking Garages and the Salem Avenue, Gainsboro, Williamson Road and Norfolk Avenue Surface Parking Lots; although the Salem Avenue Surface Lot is one of the facilities included under the management contract, the lot was not placed into operation due to construction of the Linear Rail Walk; and construction of the Linear Rail Walk has progressed to the point that the Salem Avenue Surface Lot can now be placed into operation.

It was further advised that in the downtown area, the Roanoke Redevelopment and Housing Authority (RRHA) owns the Bullitt Avenue Surface Lot (sometimes referred to as the "Park" Lot), located at the corner of Bullitt Avenue and Williamson Road (Official Tax Nos. 4013321 and 4013322) and the Church Avenue Surface Lot (sometimes referred to as the "Nickel" Lot), located at the corner of Church Avenue and Williamson Road (Official Tax No. 4011413); both lots were purchased by the RRHA in conjunction with the Downtown East Redevelopment Plan; and in order to provide for consistent management and operation of the Bullitt Avenue and Church Avenue Surface Parking Lots, with those parking facilities currently being managed by Lancor Parking, L.L.C., and provide for uses of the lots to be consistent with the Downtown East Redevelopment Plan, the RRHA has indicated its intent to allow the

City to provide for management and operation of the Bullitt Avenue and Church Avenue Surface Parking Lots, which is proposed to be accomplished through an amendment to the City's management and operation services contract with Lancor Parking, L.L.C.

It was explained that Lancor Parking, L.L.C., has recommended and City staff concurs, with establishment of parking fees to be charged for parking at the Salem Avenue, Bullitt Avenue and Church Avenue Surface Parking Lots, as described in an attachment to the communication; the City Manager, or her designee, should be authorized to modify or waive parking fees for City sponsored events or other special events, as deemed appropriate by the City Manager; any payments of monthly parking fees received more than seven days after such fees are due, may be assessed a \$5.00 late fee in addition to the monthly rate charged; and in order to provide for management and operation of the Bullitt Avenue and Church Avenue Surface Parking Lots, the management and operation services contract dated July 1, 2002, between the City of Roanoke and Lancor Parking, L.L.C., should be amended to provide for provision of management and operation services and to adjust the management fees, as described in an attachment to the communication to be paid to Lancor Parking, to compensate for additional services.

It was advised that funding is available in Account No. 007-540-8220-2050 to compensate Lancor Parking for additional services; authorization is needed for the City Manager to add or delete such parking facilities and adjust the management fee with Lancor Parking as deemed appropriate and as provided by the contract, provided the change to the management fee is not more than 25 per cent of the original or amended contract amount; and City staff and Lancor Parking are evaluating the overall parking fee structure for the entire City of Roanoke Parking System which may result in additional changes to the manner in which fees are determined.

The City Manager recommended that she be authorized to execute a Parking Management Agreement between the City of Roanoke and the City of Roanoke Redevelopment and Housing Authority, in a form approved by the City Attorney, and to take such further actions and to execute such further documents as may be necessary to implement and administer the Agreement; approve parking fees and amend the Fee Compendium establishing the parking fees to be charged for the Salem Avenue, Church Avenue and Bullitt Avenue Surface Parking Lots; authorize the City Manager to modify or waive the parking fees and provide for a \$5.00 late fee; authorize the City Manager to enter into an amendment, in a form to be approved by the City Attorney, to the contract between the City of Roanoke and Lancor Parking,

L.L.C., dated July 1, 2002, to provide management and operation services for the Bullitt Avenue and Church Avenue Surface Parking Lots and to adjust the management fee paid to Lancor Parking to compensate for additional services; authorize the City Manager to add or delete from the contract with Lancor Parking, such parking facilities and adjust the management fee as deemed appropriate by the City Manager and as provided for in said contract, provided that the management fee change is not more than 25 per cent of the original or amended contract amount, and to take such further action and to execute such further documents, including amendments, as may be necessary to administer such contract.

Mr. Carder offered the following resolution:

(#36091-101502) A RESOLUTION authorizing the execution of a Parking Lot Management Agreement between the City of Roanoke and the City of Roanoke Redevelopment and Housing Authority (RRHA); and authorizing the City Manager to take such further action and execute such further documents as may be necessary to implement and administer such Agreement.

(For full text of Resolution, see Resolution Book No. 66, page 456.)

Mr. Carder moved the adoption of Resolution No. 36091-101502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

Mr. Carder offered the following resolution:

(#36092-101502) A RESOLUTION providing for the adoption of parking fees to be charged at the Salem Avenue, Church Avenue and Bullitt Avenue Surface Parking Lots; and directing amendment of the Fee Compendium.

(For full text of Resolution, see Resolution Book No. 66, page 457.)

Mr. Carder moved the adoption of Resolution No. 36092-101502. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

Mr. Carder offered the following ordinance:

(#36093-101502) AN ORDINANCE authorizing an Amendment to the Contract for Management and Operation Services between the City of Roanoke and Lancor Parking, L. L. C., dated July 1, 2002, regarding certain parking facilities; authorizing the City Manager to make future adjustments to such contract; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 459.)

Mr. Carder moved the adoption of Ordinance No. 36093-101502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

DONATIONS/CONTRIBUTIONS-NEIGHBORHOOD ORGANIZATIONS-HOUSING/AUTHORITY-GRANTS: The City Manager submitted a communication advising that each year, the City of Roanoke receives approximately \$3.0 million in entitlement grants from the U. S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG) and HOME Investment Partnerships (HOME) programs; at its meeting on September 17, 2001, Council adopted the "Policy on HUD Funds," one provision of which is the substantial targeting of said funds to create a visible and lasting impact; the initial targeting activity under the policy was presented to Council in October, 2001, and is moving forward in the area bordered by Bullitt and Jamison Avenues between 6th and 13th Streets; in April, 2002, the City Manager appointed the Neighborhood Selection Task Force (NSTF) and charged the Task Force with recommending those neighborhoods where the resources should next be targeted during the coming years; and on September 19, 2002, Task Force recommendations were submitted to the City Manager.

It was further advised that because of rules involved with Federal grants, the areas eligible for consideration within neighborhoods are those in which most of the families have low or moderate incomes, and a total of 26 such eligible areas were considered; while originally asked to recommend five of the areas, the ratings of the fourth, fifth and sixth areas were extremely close; therefore, the Task Force found it appropriate to recommend six areas; and in making its recommendation, the Task Force considered it to be important that the City have the discretion to modify the order of neighborhood project implementation, based on the time needed to plan and leverage financing, or other critical circumstances that affect the ability to succeed in a given neighborhood.

The City Manager recommended that Council approve substantial targeting of the City's HUD funds to one or more of the block groups within each of the Gainsboro, Hurt Park, Washington Park, Loudon-Melrose, Old Southwest and Gilmer/NNEO neighborhoods, and that the City have the discretion to implement the neighborhood projects in an order that considers the time needed to plan and leverage financing, or other critical circumstances that would affect the ability to succeed in each neighborhood.

Mr. Cutler offered the following resolution:

(#36094-101502) A RESOLUTION concurring in the recommendation of the Neighborhood Task Selectionx Task Force for the substantial targeting of the City's funds from the U. S. Department of Housing and Urban Development ("HUD") under the Community Development Block Grant, Emergency Shelter Grant and Home Investment Partnerships program.

(For full text of Resolution, see Resolution Book No. 66, page 461.)

Mr. Cutler moved the adoption of Resolution No. 36094-101502. The motion was seconded by Mr. Dowe.

The City Manager advised that the Neighborhood Selection Task Force devoted a significant amount of time and effort in regard to the criteria for selecting future neighborhoods for concentrated Community Development Block Grant funding similar to that which is currently being done in the southeast section (Bullitt/Jamison) corridor of the City of Roanoke. She called upon Laura Benjamin, Chair, Neighborhood Section Task Force, for presentation of the report of the Task Force.

Ms. Benjamin introduced the following members of the Task Force who were in attendance: Alvin Nash, Carl Cooper, The Reverend William Lee, Paula Prince, Teresa Walker, Rolanda Johnson, V. Lee Wolfe and Karen Mason. (Other members of the Task Force not in attendance are: John Baker, Ted Edlich, Robert Fetzner, Rick Hendrick, James Lesniak, and Karen Michalski- Karney.)

Ms. Benjamin advised that meetings started in April 2002, the purpose of which was to develop a process by which the City could select future neighborhoods where Federal and City funds could be focused in order to maximize revitalization efforts. She stated that the Task Force was specifically requested to select the top six neighborhoods out of 26 that would be eligible for consideration, pursuant to the following criteria: demographics, per cent below poverty, per cent of home owners and racial balance, crime rate (the number of violent crimes, property crimes), vacant structures ready for demolition, vacant structures ready for rehabilitation, occupied structures that could be rehabilitated and the number of available lots for new construction. She stated that the Task Force looked at existing investments, such as an active neighborhood organization and neighborhood watch, the existence of a neighborhood plan or master plan, the existence of a conservation area, or rehabilitation district, and the presence of the Roanoke Redevelopment and Housing Authority or some other CDC investment, market factors such as the existence of public/private investments, the existence of a City, State or national district, the potential for a Hope VI grant in the neighborhood, proximity to downtown, visibility and marketability. She explained that after reviewing the criteria, the top six specific eligible block groups to be selected for revitalization are Gainsboro, Hurt Park, Washington Park, Loudon/Melrose, Old Southwest and Gilmer, and the City will have the discretion to change the order of implementation based on each neighborhood's level of readiness.

Ms. Wyatt advised that familiarity breeds understanding; therefore, she suggested that community leaders/representatives be identified from each of the above referenced block groups to act as observers of the Bullitt/Jamison project. She stated that by observing the process as it unfolds, they will be in a better position to understand procedures when revitalization efforts occur in their respective neighborhoods.

Ms. Helen E. Davis, 35 Patton Avenue, N. E., advised that she is pleased to know that Gainsboro is ranked number one for the next revitalization project. She called attention to the Washington Park Improvements Committee which was appointed by the City Manager, and inquired as to how Washington Park fits into the neighborhood group. She also inquired as to the boundaries of Gainsboro.

Freed G. (Mike) Etienne, Housing Development Administrator, addressed the boundaries of the Gainsboro area which include the block groups within the neighborhood. He stated that block groups were reviewed that were eligible for Community Development Block Grant funds; i.e.: 51 per cent of residents earning less than 80 per cent of the median income. He explained that the boundaries of Gainsboro are 5th Street, part of downtown and Orange Avenue. In regard to Washington Park, he advised that the eligible area within Washington Park was reviewed and the Washington Park Improvements Council will be involved in the process. He stated that the boundaries of Washington Park include 10th Street, Orange Avenue and the Interstate.

The City Manager clarified that the Washington Park Improvements Committee, as referenced by Ms. Davis, is an ad hoc committee which was appointed by the City Manager specifically for the purpose of looking at necessary improvements to Booker T. Washington Park. She stated that in working with neighborhood groups, the City would look more to the civic organizations that have multiple interests and not to those groups with a limited interest.

Resolution No. 36094-101502 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith -----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

COMMUNITY PLANNING-BLUE RIDGE COMMUNITY SERVICES-HOUSING/AUTHORITY-GRANTS: The City Manager submitted a communication advising that since 1996, the Blue Ridge Housing Development (BRHDC) has successfully conducted several housing programs for the City of Roanoke using Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds; on May 13, 2002, Council authorized the BRHDC's 2002-2003 CDBG and HOME activities and funding by Resolution No. 35848-051302, which also approved submission of the City's 2002-2003 Consolidated Plan Annual Update to the U. S. Department of Housing and Urban Development; Council accepted 2002-2003 CDBG and HOME funds on June 17, 2002, by Ordinance No. 35914-061702, Resolution No. 35915-061702, Ordinance No. 35912-061702, and Resolution No. 35913-061702, respectively, pending receipt of grant approvals from HUD; and grant agreements with HUD have since been signed.

It was further advised that in order for the BRHDC to conduct the housing activities approved in the Consolidated Plan, authorization by Council to execute an agreement is needed; and a total of \$648,432.00 is being provided to the BRHDC.

The City Manager recommended that she be authorized to execute the 2002-2003 CDBG/HOME Agreement with the Blue Ridge Housing Development Corporation, to be approved as to form by the City Attorney.

Mr. Carder offered the following resolution:

(#36095-101502) A RESOLUTION authorizing the appropriate City officials to enter into an Agreement with the Blue Ridge Housing Development Corporation to conduct housing activities using Community Development Block Grant and HOME Investment Partnerships Program funds, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 66, page 462.)

Mr. Carder moved the adoption of Resolution No. 36095-101502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

HOUSING/AUTHORITY-COMMUNITY PLANNING-GRANTS: The City Manager submitted a communication advising that historically, the Roanoke Redevelopment and Housing Authority (RRHA) has administered a variety of housing programs for the City of Roanoke using Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds; on May 13, 2002, Council authorized the RRHA's 2002-2003 CDBG and HOME activities and funding pursuant to Resolution No. 35848-051302, which approved submission of the City's 2002-2003 Consolidated Plan Annual Update to the U. S. Department of Housing and Urban Development (HUD); Council accepted the 2002-2003 CDBG and HOME funds on June 17, 2002, pursuant to Ordinance No. 35914-061702, Resolution No. 35915-061702, Ordinance No. 35912-061702 and Resolution No. 35913-061702, respectively, pending receipt of grant approvals from HUD; and grant agreements with HUD have since been signed.

It was further advised that in order for the RRHA to conduct the housing activities approved in the Consolidated Plan, authorization by Council to execute an agreement with the RRHA is needed; a total of \$1,051,162.00 is being provided to the Housing Authority, and the Agreement contains a mutual indemnification clause in which both parties agree to indemnify the other for damages and expenses incurred as a result of the other party's conduct; and the effect of the clause is that, in certain circumstances, the City would be waiving its defense of sovereign immunity.

The City Manager recommended that she be authorized to execute the 2002-2003 CDBG/HOME Agreement with the Roanoke Redevelopment and Housing Authority, to be approved as to form by the City Attorney.

Mr. Carder offered the following resolution:

(#36096-101502) A RESOLUTION authorizing the appropriate City officials to enter into an Agreement with the Roanoke Redevelopment and Housing Authority to conduct housing activities using Community Development Block Grant and Home Investment Partnerships Program funds, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 66, page 463.)

Mr. Carder moved the adoption of Resolution No. 36096-101502. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

SEWERS AND STORM DRAINS: The City Manager submitted a communication advising that as part of the fulfillment for the City's Storm Water Quality Improvement Program (SWQIP), the City of Roanoke, in cooperation with the Clean Valley Council and the Virginia Department of Conservation and Recreation, will initiate a storm drain inlet stenciling project; storm drain stenciling projects have been implemented nationwide to help increase community awareness of storm drain-related pollution, which increased awareness has been accepted by the U. S.

Environmental Protection Agency as an appropriate Best Management Practice (BMP) to decrease the effects of non-point source pollutants to municipal separate storm sewer systems (MS-4); and decreasing pollutant loads into the City's MS-4 is the overall goal of the SWQIP.

It was further advised that schools and other community groups will stencil the message, "Dump No Waste Drains to River" on drain inlets throughout the City and other jurisdictions in the Roanoke Valley; the stenciled message will include a graphic of the Roanoke log perch, an endangered species that lives in the Roanoke River; storm drain stenciling is planned to begin on October 16, with citizen involvement over the weekend of October 18, 19 and 20 to coincide with the 30th anniversary of the Clean Water Act on October 18; the project will continue as the City moves into the implementation phase of its Storm Water Quality Improvement Program; authorization for the proposed marking of public rights-of-way is requested since the markings will be done by citizens on City-owned property throughout the City; and projected cost for the project is \$4,000.00 for this fiscal year, to cover development of custom stencils and effort coordination, and funding is available in Account No. 008-530-9736, NPDES – Phase 2.

The City Manager recommended that she be authorized to allow community groups, volunteers, and such other entities as the City Manager may deem appropriate to undertake the storm drain stenciling project and to take such further action as may be necessary to implement and administer the project.

Mr. Carder offered the following resolution:

(#36097-101502) A RESOLUTION authorizing the City Manager to allow community groups, volunteers and other entities as the City Manager may deem appropriate to undertake a storm drain stenciling project within the City's rights-of-way and to take such further action as may be necessary to implement and administer such project.

(For full text of Resolution, see Resolution Book No. 66, page 464.)

Mr. Carder moved the adoption of Resolution No. 36097-101502. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

HEALTH DEPARTMENT- BUDGET-HUMAN DEVELOPMENT-YOUTH: The City Manager submitted a communication advising that the City of Roanoke has been selected as a grantee for the Federally-funded Program for Runaway and Homeless Youth (RHY) under provisions of the Runaway and Homeless Youth Act, in the amount of \$126,675.00 annually; funds are to be used to cover salaries and fringe benefits of one Youth Counselor III, one Youth Counselor II, one relief counselor and related program activities in the Outreach Program; the required local match is offered as in-kind services; the U. S. Department of Health and Human Services awards grants for services in three-year cycles; and project period for the grant begins September 1, 2002 and will end on September 1, 2005.

It was further advised that the focus of the program is to alleviate the problems of runaway and homeless youth and their families, strengthen family relationships and encourage stable living conditions; early intervention of Outreach staff in a combination of shelter based and home based services offers runaway and homeless youth and their families supportive services that will decrease the incidence of repeat runaway episodes; and program services include: 24 hour intake and referral access, temporary shelter, individual, group and family counseling, community service linkages, aftercare services, case disposition and recreation opportunities.

The City Manager recommended that Council adopt a measure accepting the \$126,675.00 in funding from the U. S. Department of Health and Human Services, Grant No. 03CYO433/1, for Sanctuary's Runaway and Homeless Youth Outreach program; authorize the City Manager to execute the required grant agreement and any other forms required by the Department of Health and Human Services in order to accept funds, such documents to be approved as to form by the City Attorney; and appropriate \$126,675.00 in Federal funds to revenue and expenditure accounts in the Grant Fund to be established by the Director of Finance.

Mr. Dowe offered the following budget ordinance:

(#36098-101502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 465.)

Mr. Dowe moved the adoption of Ordinance No. 36098-101502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

Mr. Carder offered the following resolution:

(#36099-101502) A RESOLUTION authorizing the acceptance of a grant from the United States Department of Health and Human Services to be used for salary and fringe benefits of counselors and related activities in the Outreach Program; and authorizing the execution of the necessary documents.

(For full text of Resolution, see Resolution Book No. 66, page 466.)

Mr. Carder moved the adoption of Resolution No. 36099-101502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

SCHOOLS: The City Manager submitted a communication advising that the Parks and Recreation Department opened its first fitness center, in partnership with the Roanoke Public Schools, at Breckinridge Middle School in October 1997, which was followed by fitness center openings at Woodrow Wilson Middle School in November 1998, Addison Middle School in December 1999, and Jackson Middle

School in February 2001; the original Agreement for Breckinridge Middle School expired on September 30, 2002; the Roanoke City Public Schools use the fitness room and equipment for physical education classes and sports conditioning; and the Parks and Recreation Department operates the facility as a fitness center, open to the general public during non-school hours.

It was further advised that the current one year Agreement with the Roanoke City School Board, with an option to renew for four additional one-year terms, expired on September 30, 2002; and the Agreement was authorized by Council pursuant to Ordinance No. 33609-100697; and following minor changes to the agreement, it is requested that the Agreement be continued for up to an additional five years, ending September 30, 2007.

The City Manager recommended that she be authorized to execute an Agreement, in a form to be approved by the City Attorney, in order to continue operation of the Breckinridge Fitness Center.

Mr. Carder offered the following resolution:

(#36100-101502) A RESOLUTION authorizing the City Manager to execute an agreement between the Roanoke City School Board and the City of Roanoke, allowing the City to operate a fitness center at the Breckinridge Middle School for use by the general public, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 66, page 467.)

Mr. Carder moved the adoption of Resolution No. 36100-101502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

SIDEWALKS/CURB AND GUTTER-BUDGET: The City Manager submitted a communication in connection with bids received by the City for sidewalk maintenance, advising that S. R. Draper Paving Company submitted the low bid, in the amount of \$134,995.50, and has agreed to honor the bid through June 30, 2003;

award of the contract was postponed to allow Council to be briefed on the overall curb, gutter and sidewalk program prior to proceeding with implementation; and during the briefing, Council was advised that \$800,000.00 (\$200,000.00 annually) would be set aside for the purpose of curb, gutter, and sidewalk replacement as needed to meet current maintenance demands.

The City Manager recommended that Council accept the bid of S. R. Draper Paving Company and authorize the City Manager to execute a contract in the amount of \$134,995.50, in a form to be approved by the City Attorney, for the time period ending June 30, 2003; funding in the amount of \$800,000.00 is available in Public Improvement Bond Series 2002 (Account No. 008-530-9711-9195) to be appropriated to an account to be established by the Director of Finance; and that all other bids received by the City be rejected.

Mr. Carder offered the following budget ordinance:

(#36101-101502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 468.)

Mr. Carder moved the adoption of Ordinance No. 36101-101502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

Mr. Dowe offered the following ordinance:

(#36102-101502) AN ORDINANCE accepting the bid of S. R. Draper Paving Company, for constructing various curbs, gutters, and sidewalks along City streets, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 469.)

Mr. Dowe moved the adoption of Ordinance No. 36102-101502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

CITY ATTORNEY:

CITY CODE-SPECIAL PERMITS-SOLICITATION: The City Attorney submitted a written report advising that Article II, Solicitations for Charitable Purposes, Chapter 28, Solicitations, Code of the City of Roanoke (1979), as amended, requires all charitable organizations conducting charitable solicitations in the City of Roanoke to obtain a permit from the City Manager; certain organizations are exempt from obtaining a permit, including those which have registered with the Commonwealth of Virginia, or which are a chapter, branch or affiliate included in the consolidated report of an organization so registered; the City's regulations pertaining to charitable solicitations have not been substantially updated since their adoption; and the City does not charge for issuance of solicitation permits.

It was further advised that the Commonwealth of Virginia currently comprehensively regulates charitable solicitations (§§ 57-48, et seq., Code of Virginia); with certain exceptions, the State requires that all charitable organizations, prior to soliciting contributions, file a registration statement with the Commissioner of Agriculture and Consumer Services; the required statement contains detailed information about the organization and its proposed fund-raising; the State charges an annual registration fee, which varies with the size of the fund-raising effort; while the State has comprehensively regulated charitable solicitations, it does permit localities to adopt local ordinances not inconsistent with the State's regulations, to require local licenses, and to impose a license fee up to ten dollars; however, §57-63.D of the Code of Virginia provides that:

"No charitable organization shall be required to comply with the provisions of local ordinances if such organization has registered with the Commissioner or if such organization is a chapter, branch or affiliate included in the consolidated report of an organization or federated organization registered with the Commissioner, except that

such charitable organization shall not be exempted from that portion of any local ordinance which requires such organization to register its name, the name of its solicitors and the dates and times that they will be soliciting in the locality.”

It was explained that given the extent which the Commonwealth of Virginia now regulates charitable solicitations, it does not seem to serve any useful purpose for the City of Roanoke to have a separate ordinance on the subject, and to require charitable organizations to complete a separate application for submittal to the City; therefore, the City Attorney proposed that Article II, Solicitations for Charitable Purposes, of Chapter 28, Solicitations, be repealed and replaced by a requirement that those organizations which have registered with the Commonwealth of Virginia register with the City of Roanoke its name, the names of its solicitors and the dates and times of solicitation in the City.

The City Attorney transmitted an ordinance which would accomplish the above referenced proposal for consideration by Council.

Mr. Carder offered the following ordinance:

(#36103-101502) AN ORDINANCE repealing Article II, Solicitations for Charitable Purposes, of Chapter 28, Solicitations, Code of the City of Roanoke (1979), as amended, and amending Article I, In General by the addition of a new §28-3, Registration of charitable solicitors; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 470.)

Mr. Carder moved the adoption of Ordinance No. 36103-101502. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

CITY PROPERTY-SPECIAL PERMITS: The City Attorney submitted a written report advising that on July 1, 2002, Council adopted Ordinance No. 35959-070192, permitting owners of property located at 3745 Forest Road, S. W., to continue the encroachment of a basketball goal into City right-of-way, and also designating a portion of Forest Road as a play area, provided that such use is limited to daylight hours and that a minimum of four temporary traffic cones be put in place delineating the play area when in use; the ordinance requires the property owners to indemnify and hold harmless the City of Roanoke, and to obtain liability insurance, with the City as an additional insured; the property owners have advised that after several weeks of effort, they are unable to have their homeowner's insurance company issue the required insurance; the company is apparently not willing to take on the risk of underwriting the insurance because it involves children playing in a street, even with the safeguards required by the City; and the City's Risk Manager has inquired about having the coverage added to the City's insurance (it would have been paid for by the owner), but was unsuccessful.

It was further stated that since the property owners are unable to obtain the insurance required by the terms of Ordinance No. 35959-070102, the City's options include revoking the encroachment permit, or deleting the insurance requirement (in which event, the City would still be indemnified and held harmless by the owners); the City's Risk Manager believes that with the restrictions on play set out in the ordinance, deleting the insurance requirement would be acceptable from a risk management perspective, since the risk would not be greater than block parties, etc., which the City permits on City rights-of-way without requiring insurance, should Council desire to delete the insurance requirement; and while the City has routinely granted permits for encroachments onto City property for a variety of purposes and insurance has been routinely posted, this is the only instance to the knowledge of the City Attorney where, in addition to permitting an encroachment, a "play area" has also been designated, therefore, the City has not been provided with insurance previously for such use.

Mr. Dowe offered the following ordinance:

(#36104-101502) AN ORDINANCE granting a conditional permit to allow for the encroachment of a basketball goal approximately three feet into the public right-of-way in front of the property located at 3745 Forest Road, S. W., and bearing Official Tax No. 1390514; designating a play area pursuant to the provisions of §46.2-932.A, Code of Virginia (1950), as amended, upon certain terms and conditions; repealing Ordinance No. 35959-070102; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 472.)

Mr. Dowe moved the adoption of Ordinance No. 36104-101502. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith -----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

REPORTS OF COMMITTEES:

BUDGET-SCHOOLS: A communication from the Roanoke City School Board requesting that Council appropriate funds to the following school accounts, was before the body.

\$444,343.00 from the Capital Maintenance and Equipment Replacement Fund. Monies will be used to fund instructional technology equipment, the replacement of vehicles, facility improvements for handicap access, and the Schools' share of construction costs for the new transportation facility.

\$40,230.00 for the Drug Free Schools program. Monies will provide for one student assistance counselor at the secondary level to work with substance abuse issues. This continuing program will be reimbursed one hundred per cent by Federal funds.

\$295,180.00 for the Technology-Based Wellness program. Monies will provide a comprehensive, technology-based wellness program in all secondary grades to revitalize student interest in health and physical education, develop knowledge and skills required for life-long wellness, and improve student performance on national and state physical education tests. This new program will be reimbursed one hundred per cent by Federal funds.

A report of the Director of Finance recommending that Council concur in the request, was also before the body.

Mr. Carder offered the following budget ordinance:

(#36105-101502) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 School and School Food Services Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 473.)

Mr. Carder moved the adoption of Ordinance No. 36105-101502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith -----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

COMMITTEES-INDUSTRIES: Mr. Cutler offered the following resolution reappointing Dennis R. Cronk as a Director of the Industrial Development Authority for a term ending October 20, 2006:

(#36106-101502) A RESOLUTION reappointing a Director of the Industrial Development Authority of the City of Roanoke, to fill a four year term on the Board of Director.

(For full text Resolution, See Resolution Book No. 66, page 475.)

Mr. Cutler moved the adoption of Resolution No. 36106-101502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith -----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

COMMITTEES-INDUSTRIES: Mr. Carder offered the following resolution reappointing Stark H. Jones as a Director of the Industrial Development Authority for a term ending October 20, 2006:

(#36107-101502) A RESOLUTION reappointing a Director of the Industrial Development Authority of the City of Roanoke, to fill a four year term on the Board of Directors.

(For full text of Resolution, see Resolution Book No. 66, page 476.)

Mr. Carder moved the adoption of Resolution No. 36107-101502. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith -----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

CITY COUNCIL: Council Members Bestpitch and Wyatt expressed appreciation for the opportunity to participate in the Leadership Trip to Charleston, South Carolina, which was held October 6 - 8, 2002.

Council Member Bestpitch advised that a city such as Roanoke can learn from a city like Charleston the importance of preservation. However, he stated that the City of Roanoke has much that is worthy of preservation, not only in terms of its built environment, but the surrounding natural resources. He called attention to the importance of the public realm in paying particular attention to those parts of the community where people tend to congregate for business and social purposes and the importance of quality – or doing things well; and the City's Comprehensive Plan indicates that the City of Roanoke recognizes the importance of preservation, the importance of the public realm and the importance of quality. He stated that the question now is whether the City of Roanoke will continue to implement the Comprehensive Plan in a manner that also recognizes the importance of those areas, not just on paper, but in practice.

Council Member Wyatt advised that as she listened to speakers during the conference in Charleston, especially in regard to education issues, she felt good about her community, because Roanoke is already doing or surpassing certain other localities in regard to various aspects of educating its children.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard, and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

HOUSING: Mr. Robert Gravely, 617 Hanover Avenue, N. W., spoke with regard to affordable housing in the City of Roanoke; and the need for the kind of jobs that will provide the means for Roanoke's citizens to become home owners. He referred to housing in the 1100 block of Gilmer Avenue, N. W., which sells for \$80,000.00, while the average house in the neighborhood sells for \$32,000.00; therefore, he questioned why anyone who can afford to purchase an \$80,000.00 house would want to live in a neighborhood containing \$32,000.00 homes.

CITY MANAGER COMMENTS:

CITY COUNCIL-COMMUNITY PLANNING: The City Manager commended the Mayor and Members of Council for taking time out of their busy schedules to attend the Leadership Trip to Charleston, South Carolina, on October 6-8, 2002. She advised that the Council's Planning Retreat on Thursday, October 17, will provide an opportunity for Council Members to discuss the City of Roanoke's Comprehensive Plan in more detail.

ANIMALS/INSECTS: The City Manager referred to a report and recommendations from the Wildlife Task Force, copy of which was previously forwarded to the Members of Council. She advised that additional work is needed before a staff recommendation is submitted to Council, and presented copy of a communication which was forwarded to the Task Force requesting that it reconvene and produce supporting statistics. She further advised that certain members of the Task Force have resigned and requested that Council Members submit recommendations for additional members by Friday, October 18, 2002.

ROANOKE CIVIC CENTER-YOUTH: In conjunction with the celebration of Halloween on October 31, 2002, the City Manager advised that activities will be held at the Roanoke Civic Center for children under 12 years of age.

At 3:15 p.m., the Mayor declared the meeting in recess for one closed session.

At 4:05 p.m., the meeting reconvened in the City Council Chamber, with Mayor Smith presiding and all Members of the Council in attendance, with the exception of Vice-Mayor Harris.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Dowe moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Wyatt, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Harris was absent.)

At 4:08 p.m., the Mayor declared the Council meeting in recess until 5:00 p.m., in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building , 215 Church Avenue, S. W. , City of Roanoke.

A joint meeting of City Council and the City of Roanoke Redevelopment and Housing Authority was called to order at 5:00 p.m., on Tuesday, October 15, 2002, in Room 159, Emergency Operations Center Conference Room, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor Ralph K. Smith presiding.

COUNCIL MEMBERS PRESENT: William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., Linda F. Wyatt, and Mayor Ralph K. Smith-----6.

ABSENT: Vice-Mayor C. Nelson Harris -----1.

ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY COMMISSIONERS PRESENT: Carolyn M. Bumbry, H. Victor Gilchrist, Joseph F. Lynn, Christie L. Meredith and Chairman Ben J. Fink-----4.

ABSENT: Commissioners James W. Burks, Jr., and Beverly T. Fitzpatrick, Jr.-----2.

OTHERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; Mary F. Parker, City Clerk; John R. Baker, Executive Director, Roanoke Redevelopment and Housing Authority; and Sue Marie Worline, Secretary, Roanoke Redevelopment and Housing Authority Board of Commissioners.

Following dinner, the business session convened at 5:25 p.m.

HOUSING/AUTHORITY: Chairman Fink called attention to significant changes over the last several years in the way that the Roanoke Redevelopment and Housing Authority transacts business in an effort to become more efficient and to make programs more effective. He referred to efforts of the Housing Authority regarding the Gainsboro Redevelopment Project, the South Jefferson Street (Bio-Med) project, the Lincoln 2000 project, neighborhood development, and coordinating a more effective case management system with other agencies and non-profit organizations, which will allow the transfer of data between various agencies and groups. He called attention to the receipt of local, state and national awards by the Housing Authority, one of which was the National Association of Housing and Redevelopment District for Outstanding Housing and Community Development Programs, South Jefferson Redevelopment area (Riverside Centre).

PROJECT UPDATES:

South Jefferson Redevelopment Area (Riverside Centre)

Commissioner Christie Meredith advised that on March 19, 2001, City Council and the Roanoke Redevelopment and Housing Authority approved the Redevelopment Plan for the South Jefferson project which is over half way into a three year implementation program. She stated that pursuant to the agreement, within the first year, the Housing Authority was to acquire and clear the initial site of approximately five acres of land; businesses in the area have been relocated and of the 12 area businesses, all have remained in the City of Roanoke, with the exception of two; and all properties that were to be acquired in the area designated as A-1 have been acquired, either on or ahead of schedule. She advised that five voluntary remediation plan applications have been developed and accepted for the program through the Department of Environmental Quality; initially, it was anticipated that remediation costs would be in the range of \$700,000.00, however, it now appears that costs will be approximately \$130,000.00. She stated that the process has been streamlined which has created a smooth clean up of the area, and called attention to restrictions on the provision of ground water focused on residential development, placement of buildings, land shapes and contamination.

She advised that a development issues group, composed of representatives of Carilion, Carilion Bio Med Rivers Edge Development Group, City of Roanoke and Roanoke Redevelopment and Housing Authority representatives met with Hill Studio and Hayes, Seay, Mattern and Mattern to prepare design scenes which will include uniform design standards of the area that will resemble a campus setting.

The City Manager called attention to a recent meeting with a consultant engaged by the Roanoke Redevelopment and Housing Authority to prepare a market study of the entire area, and the consultant enforced the position that the Riverside Centre is not and should not be seen as exclusively bio-medical in nature, the entire technology arena should be targeted, and while the Bio-Med Centre itself will be a drawing card and create a close relationship with the two universities, it is equally important to look at service industries and technology in general. She advised that the medical emphasis is important because the two anchors are hospitals.

There was discussion in regard to the road configuration in the area of the Riverside Centre; whereupon, the City Manager referred to potential alternatives because the original ramp configuration in the initial plans may be held up indefinitely due to I-73; the State has completed the necessary studies and determined that eventual improvements to the Elm Avenue Interchange with I-73 will be insufficient to meet the needs that the Bio Med Center will generate; and the City's Six Year Plan has been reduced to such an extent that it is questionable as to when either of the alternatives could be funded. She advised that although the Council's preference was the Franklin Road option, as opposed to coming through the center of the site, a meeting was recently held with Virginia Department of Transportation (VDOT) officials, and it was suggested that the City consider reworking the Wonju Interchange as a possible solution, and it might also be possible to incorporate an expansion of the ramp off of Wonju Street as a new entrance to the hospital and to the Bio Med Centre. She stated that the option is being explored, but the process is moving slowly because of the financial situation and the lack of VDOT funding for highway projects.

Council Member Carder advised that if traffic is taken off of Elm Avenue and routed to the entrance that is in close proximity to the Bio Tech Centre, it could kill any potential along the Williamson Road corridor, because traffic will be basically cut off. He referred to recent comments of Traffic Engineer Ian Lockwood who stated that with the greenway, Williamson Road could be used as an entranceway and/or gateway. He cautioned against doing anything that would spurn development along the Williamson Road corridor and provide a short cut for persons traveling out of town.

Eight Jefferson Place (GOB South)

Commissioner Joseph Lynn advised that when undertaking the Eight Jefferson Place project, the importance of maintaining the original integrity of the building as much as possible, while converting the building into upscale downtown housing, was emphasized. He stated that currently, the project is about 90 per cent complete, leasing of apartments started in September, and 12 tenants currently occupy the apartments. He advised that Eight Jefferson Place is a \$10 million project financed by the Federal government and represents a joint effort by numerous organizations in the City of Roanoke, and the project should be completed by the end of October, 2002.

In a discussion, it was pointed out that the success of Eight Jefferson Place is important to the overall success of downtown Roanoke and there should be improved access to downtown by reopening the tunnel/walkway over the railroad tracks to provide for easier downtown access; and developers are waiting to see what happens with regard to Eight Jefferson Place as it relates to additional rehabilitation and re-creation of downtown housing units, whether they be constructing new buildings, rehabilitating existing buildings, or marketing the concept of corporate apartments.

Lincoln 2000

Commissioner Carolyn Bumbry presented highlights of the Lincoln 2000 project. She advised that there were 262 moves, 106 original families chose to remain in Lincoln Terrace, and 130 families chose to move to other public housing, Section 8 housing, or relocated elsewhere in the City of Roanoke. She stated that 165 units were completed ahead of schedule, units are equipped with air conditioning, large front porches, storage sheds at the rear of the units, backyards are enclosed with fences for improved security, and reconfigured interior space. She noted that 145 apartments were demolished and the land is ready for construction of single family homes; two new homes were built outside of Lincoln 2000 which were constructed as a joint venture by the Roanoke Redevelopment and Housing Authority and Blue Ridge Housing Development Corporation and are currently occupied by residents of public housing; two new handicapped accessible duplex buildings and four lease purchase town homes are 95 per cent complete, and bids are due on six additional lease/purchase town houses.

Ms. Bumbry called attention to concerns expressed by a small number of residents with regard to the need for screen doors on the front and back of Lincoln 2000 units, and advised that screen doors will be installed on the back doors as requested by elderly residents. She called attention to the Even Start program,

sponsored by the Roanoke City Public Schools, which provides child care for children age three and above to assist parents who are working on obtaining their GED; the Headstart Program operated by Total Action Against Poverty is located in the Lincoln 2000 complex; and there are plans for a business/opportunity center, a branch of the WIC program, and office space for on site case management through the Resident Council. She called attention to other programs offered by the Housing Authority to provide educational opportunities for residents which will enable them to move out of public housing.

There was discussion with regard to screen doors on Lincoln 2000 housing units; whereupon, Mr. Baker clarified that screen doors could be installed on the back doors as soon as possible, there is a limited amount of available funding, and although it is not known as to how many screen doors could be installed in this fiscal year, the number will more than likely meet the needs of those persons who have expressed an interest to date.

There was discussion with regard to occupancy levels at other public housing developments in the City of Roanoke; whereupon, Mr. Baker advised that Lansdowne is experiencing substantial on site rehabilitation, therefore, a large number of units are presently unoccupied; educational opportunities in public housing which will assist residents to shift to home ownership or other rental units in the community; the Housing Authority is sensitive to the fact that there are some residents who will not be able to live independently, therefore, public housing will be a necessity due to their age or other limitations; and efforts of the Housing Authority through education, training, job skills etc., focus on youth so that they do not become permanent residents of public housing.

There was further discussion in regard to whether plans are underway to eliminate units covered by Section 8 Certificates; whereupon, Mr. Baker advised that any plan is based on the reality of funds and there are insufficient funds outside of the Lincoln 2000 program to make the transition to outside housing. He stated that the availability of units by landlords who are willing to accept Section 8 Certificates is limited, many communities are seriously under utilizing their Section 8 vouchers because of the housing market, and landlords cannot be required to accept Section 8 tenants.

It was noted that there appears to be a conflict between the City's Comprehensive Plan and Lincoln 2000; whereupon, Mr. Baker advised that the density in Lincoln Terrace was reduced, which had the affect of distributing units across the community, and some residents chose not to return to Lincoln Terrace and took advantage of Section 8 Certificates which enabled them to move out of Lincoln Terrace.

The City Manager advised that the City of Roanoke, as the urban center of the region, has a disproportionate burden relative to public housing and assisting the disadvantaged, because there are no other public housing units in the region. Likewise, she advised that the majority of Section 8 Certificates are unused within the City of Roanoke and are not disbursed into the neighboring jurisdictions, and the problem is compounded further the transportation issue. She stated that the City needs to look at ways to cause disbursement, both within the Roanoke community and into the broader Roanoke Valley region. She added that she has encouraged the Housing Authority's Executive Director to talk with landlords in the neighboring jurisdictions to determine their interest in accepting Section 8 Certificates, because some persons are under the mistaken impression that if they accept a Section 8 Certificate from the Housing Authority, they are required to use the Certificate within the limits of the City of Roanoke. She called attention to instances when she has denied letters of support from the City of Roanoke when organizations propose to construct additional low income housing in the same neighborhood, which does not mean that she is against low income housing, but she is concerned about the concentration of low income housing in one area of the City, as opposed to throughout the City of Roanoke.

There was discussion with regard to the possibility of eliminating public housing at some time in the future; whereupon, Mr. Baker spoke in support of using the next HOPE VI Program to look at the issue of housing for families with low income. He stated that it is not a good strategy to eliminate standard low income housing when there is a large amount of substandard housing in the City of Roanoke currently housing low income families; public housing is not a problem for housing low income families, but a standard resource, and there is a need to look at why families are living in substandard housing, the disbursement issue, locations, and housing patterns for low income housing.

The City Manager advised that the matter should be discussed with Congressman Goodlatte, and suggested that rather than rehabilitate apartment units, such as is being done in Lansdowne, why not take a set of units and create a type of alternate standard so that low income persons are not made to feel that the only place they can find standard housing is in public housing.

It was noted that another group should be encouraged to step up to the plate – realtors – by asking them to be good corporate citizens and accept Section 8 Certificates to help citizens move out of public housing projects.

Commissioner Meredith called attention to the Section 8 vouchers for home ownership which will be implemented by the Housing Authority and will provide home ownership for persons who otherwise could not afford to purchase a home; however, there will continue to be families who need good quality, and safe public housing, be they Section 8 rental vouchers or housing in complexes managed by the Roanoke Redevelopment and Housing Authority.

Question was raised as to future redevelopment programs, or the next large project to be undertaken by the Roanoke Redevelopment and Housing Authority; whereupon, Mr. Baker advised that current efforts relate to tying in with the City's strategy to focus Community Development Block Grant funds into the neighborhoods, and in particular, leveraging funds within the neighborhoods to make the most significant impact, allow the market rate to take over, and then move on to another neighborhood. He called attention to activities in the Gainsboro area; the cultural exchange; another developer has expressed an interest in the area; plans of Total Action Against Property for a fund raising campaign to rehabilitate the Dumas Hotel, which will require land acquisition from the Housing Authority; the Roanoke Neighborhood Development Project is moving forward; and the Housing Authority is working on specific projects with other entities. In summary, he reiterated that the Housing Authority's main focus at this time is the City's strategy in neighborhood revitalization.

Roanoke Redevelopment and Housing Authority History, Vision and Goals

Chairman Fink advised that pursuant to Title 36, Code of Virginia, 1950, as amended, the Housing Authority is charged with the responsibility of developing and operating public housing developments and residential buildings; to serve as a partner with the City of Roanoke; and to serve as the City's agent to implement the City's vision, plans and priorities for redevelopment and revitalization programs; therefore, the Housing Authority is looking to City Council for direction. He further advised that the State Code provides the Housing Authority with specific authorization to purchase property for private and public development in certain areas, to make loans or grants for construction and rehabilitation of residential, commercial or individual properties, to issue revenue bonds or funds to carry out the Housing Authority's specific purpose and to form corporations, partnerships, joint ventures, trusts or any other legally necessary entity. He stated that the Housing Authority wishes to provide the type of leadership that will enable it to become a model redevelopment and housing authority, and to be recognized nationally as a trend setter. He advised that the mission of the Housing Authority is to partner with community organizations, agencies and local governments, to

provide housing and home ownership opportunities for low and moderate income persons, to take a leadership role in providing programs and resources for residents that promote and encourage self-sufficiency, self-esteem and self-determination and to maintain a leadership role in fostering economic development and job opportunities; and staff of the City of Roanoke Redevelopment and Housing Authority bring wide and varied expertise to the Roanoke area.

There being no further business, the Mayor declared the City Council meeting in recess at 6:40 p.m., to be reconvened at 7:00 p.m., in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke.

At 7:00 p.m., on Tuesday October 15, 2002, the regular meeting of City Council reconvened in the Roanoke City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding. |

PRESENT: Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Linda F. Wyatt, and Mayor Ralph K. Smith -----5.

ABSENT: Vice-Mayor C. Nelson Harris and Council Member Alfred T. Dowe, Jr.-----2.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by Mayor Smith.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PUBLIC HEARINGS:

ZONING: Pursuant to Resolution No. 25523 adopted by the Council of the City of Roanoke on Monday, April 6, 1981, the City Clerk and Secretary to the City Planning Commission having advertised a joint public hearing for Tuesday, October 15, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, on an amendment to Sections 36.1-393, Standards for new construction, 36.1-403, Front yard requirements for infill developments, and 36.1-428, General standards,

Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to provide standards for a new dwelling, new accessory building, or an expansion of an existing dwelling in the ND, Neighborhood Design District overlay, to establish the depth of front yards, and to establish parking requirements in the ND District, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 27, 2002, and Friday, October 4, 2002, and in The Roanoke Tribune on Thursday, October 3, 2002.

The Director of Planning and Code Enforcement advised that incompatible infill housing in Roanoke's older neighborhoods has been a concern of residents for many years; in 1994, the Neighborhood Design (ND) District was adopted by the Council to encourage new buildings which are compatible with existing scale and character of surrounding neighborhoods and to encourage protection of existing neighborhoods from incompatible infill development. He stated that the ability to undertake these regulations were limited to neighborhoods that had rehabilitation, redevelopment or conservation district status, including Melrose/Rugby, Loudon/ Melrose, Harrison, Gilmer, Gainsboro, Hurt Park, Belmont, Fallon, Kenwood and Morningside. He explained that at the time the ND District was established, it did not include a set of comprehensive design standards which are currently under consideration by Council and the City Planning Commission; and development of proposed design standards will provide a more definitive direction regarding specific design elements that should be included in any development of infill housing in the above referenced neighborhoods. He stated that meetings were conducted in August 2002 to review the proposed design standards with the Roanoke Regional Homebuilders Association, Roanoke Regional Housing Network, Roanoke Redevelopment and Housing Authority, and Presidents of the Roanoke Neighborhood Partnership and neighborhood organizations, a general public workshop was held on August 29 at Lucy Addison Middle School and a follow up meeting was held with the Melrose/Rugby neighborhood on October 3. He advised that design standards for the Neighborhood Design District are based on architectural elements common to older neighborhoods and design standards regulate building, location and mass, roofs, entrances, windows, porches, siding, trim and additions to any accessory structure as applied to residential construction, and specifically for new dwellings, additions to existing dwellings and construction of accessory buildings (garages, sheds, etc.) He stated that the application, review and approval process for Neighborhood Design District standards would be handled administratively by the Zoning Administrator; administrative review for new housing in the ND District must be completed within 15 working days and even though the

City Code provides for administrative fees to be associated with review, staff recommends that no additional fee be applied, other than those fees associated with building permits. He noted that this is the first opportunity for the City Council and the City Planning Commission to apply an implementation activity that was called for in the Comprehensive Plan, and referred to three specific policies or actions that were identified in the vision document related to the topic: (1) revise zoning ordinances to encourage quality infill development that reflect the character of the neighborhoods, including infill development standards, (2) develop criteria for evaluating new residential proposals to ensure compatibility with surrounding neighborhoods and support of the City's goals of a balanced and sustainable housing supply, and (3) consider ND Districts overlay zoning for qualifying centers and Rehabilitation and Conservation Areas to encourage compatible design or development in village centers.

Christopher Chittum, Senior Planner, presented an overview of the Neighborhood Design District standards.

The Mayor advised that numerous persons had signed up to speak on the issue and each speaker would be allotted three minutes.

Mr. Matt Prescott, 2501 Wycliffe Avenue, S. W., a builder in the City of Roanoke, and a member of the Architectural Review Board, advised that Neighborhood Design guidelines are narrowly defined and are being promoted to remedy badly designed infill developments that have been constructed in the City's neighborhoods in past years. He stated that the guidelines are desirable to ameliorate those problems, but they represent a quick fix in the long run, and if the City of Roanoke is desirous of long term, sustainable growth, the proposed guidelines will place the City in a defined box that will hurt future development. He added that the proposed standards are unrealistic and builders cannot construct the type of house that the guidelines would impose and still make a profit. He explained that no builder will go into these neighborhoods and take the risk of constructing a house on these lots because conforming to the proposed guidelines is undoable. As a builder, a resident of the City of Roanoke and someone who cares about the long term vitality of the City, he requested that the proposal be denied and that City Planners be instructed to present ideas that will help Roanoke to build neighborhoods that will be vital and growing over the long term.

Mr. Joseph Keaton, 1544 Deborah Lane, concurred in the remarks of the previous speaker in regard to the affordability of building in the neighborhoods governed by ND District guidelines. He stated that the regulations say nothing about

the doability or durability of a house, or safety aspects and life of the building, and if changes are to be made, standards should address these areas so that it will be economically wise for builders to make this kind of an investment. He added that it appears that only "cosmetic" issues have been addressed and to enforce these restrictions on a neighborhood and to take away the individuality of the neighborhood is out of place. He noted that northwest Roanoke is filled with houses of all shapes, roof sizes, and slopes, etc., to place these regulations on the community would have damaging results, and asked that the proposed regulations be denied by Council.

Mr. Joe Miller, 2812 Longview Avenue, S. W., a third generation home builder in the Roanoke Valley, advised that he is against the adoption of Neighborhood Design standards. He stated that the City of Roanoke adopted its latest Comprehensive Plan, Vision 2020, in August 2001 and he was an active participant in the process which calls for affordable housing to be available in all parts of the City, the proposed standards will make it impossible to construct affordable housing in the designated neighborhoods, and, in addition, the market will not bear the cost of a new home built to these standards. He explained that the Vision 2020 document provides that the City will recommend ways to overcome impediments to fair housing by identifying barriers to housing choice, and the proposed ND standards represent an impediment to housing choice. He stated that the proposed standards are written to forever link these neighborhoods in one architectural style which is evident in the neighborhoods, with no allowance for other architectural styles that are also apparent in the neighborhoods, or for the individual choices of home owners; therefore, the proposed standards are contrary to housing choice. He urged that the proposed regulations be denied and that Council direct the City Planning Commission to recommend regulations that will encourage new development in the City of Roanoke and not create additional barriers.

Mr. Robert Gravely, 617 Hanover Avenue, N. W., advised that the proposed ND regulations could lead to the construction of housing that the average citizen in the affected areas cannot afford to purchase, and uniform standards should be established for all areas of the City. He referred to houses in the Gilmer Avenue area that sell for \$80,000.00, when the average price of a house in the area is \$30,000.00; therefore, a person who can afford an \$80,000.00 home will not purchase a home in a \$30,000.00 neighborhood.

Mr. Martin Pruitt, 1851 Blenheim Road, S. W., a builder and President of the Roanoke Regional Homebuilders Association, advised that the Homebuilders Association strives to create an environment of free enterprise where regulations can be kept to a minimum and products and services can be produced at optimum value to the home buyer. He stated that the Homebuilders Association has reviewed the proposed ND standards and collectively believe that the proposed regulations will negatively impact revitalization of the City's neighborhoods, which position was previously presented to City Planning staff. He added that implementation of the standards will take vacant infill lots off the market because it is not economically feasible for the private sector to build a home in accordance with the proposed standards. He explained that homes in the 11 neighborhoods that would be affected by the proposed standards were constructed in the 1920's, 1930's and 1940's and many homes are now in need of repair. He stated that the risk of not being able to sell infill housing, which would be costly to build in accordance with the proposed standards, is a risk that most builders and developers cannot afford to take. He added that the Homebuilders Association does not believe that the City should dictate the style of housing that is to be available for its citizens; and inasmuch as the Homebuilders Association acknowledges those concerns expressed by some neighborhoods and current residents regarding the negative impact of building a one story plain box style house within the neighborhoods, the Homebuilders Association believes that to effectively increase new housing stock within the City's limits, tracts of land must be made available, and in order for the City to create a demand for people to live in its neighborhoods, there must be diversity in housing, both in style and in price. He added that implementation of the proposed standards is an example of the City's contradiction regarding housing - the desire has been stated to increase housing opportunities, but the tendency of the proposed standards restrict housing development. He requested that Council instruct the City Planning staff to go back to the drawing table and approach the City's housing challenge as a way to plan for the future – rather than to create obstacles. He offered the expertise of the Roanoke Regional Homebuilders Association to help the City to resolve its housing challenges, and asked that Council vote no on the proposed ND regulations.

Mr. Kit Hale, 2222 Blenheim Road, S. W., encouraged Council to be mindful of the issue of affordability of housing when enacting the proposed Neighborhood Design standards. He stated that the City's Comprehensive Plan addresses housing affordability and expressed concern that the proposed standards would overly burden affordability of housing in the affected neighborhoods.

Ms. Estelle H. McCadden, 2128 Mercer Avenue, N. W., President, Melrose/Rugby Neighborhood Forum, spoke in support of the proposed Neighborhood Design standards. She advised that most of the persons who have spoken against the guidelines do not live in the affected neighborhoods. She stated that developers have constructed incompatible infill housing between other housing or changed the design of housing in the affected neighborhoods; therefore, residents are opposed to the construction of additional infill housing that will change the character of their neighborhoods and cause property values to decrease.

Mr. Steve Strauss, 3600 block of Peakwood Drive, S. W., advised that he has been a builder in the Roanoke Valley for the past 27 years. He stated that the City Planning Commission and City Council are attempting to control architectural standards for the betterment of the neighborhoods which is admirable, but an extremely difficult issue to address. He noted that the proposed regulations will ensure construction of no additional infill housing in the affected areas because the regulations will negatively impact the cost of housing; and proposed regulations will drive individual builders away, as well as individual homeowners who wish to remodel or construct a house next to their current home. He called attention to insufficient lot width in the neighborhoods under discussion in order to construct an addition to the side of the dwelling, therefore, the most logical place to construct an addition to a home is at the rear, which is not permitted under proposed regulations. He called further attention to \$200,000.00 - \$400,000.00 homes that are constructed in today's market where garage doors are permitted at the front of the structure. He requested that Council and the City Planning Commission refer the matter back to City Planning staff for further review and to recommend regulations that are workable within the community.

Mr. Charles Coulter, 3750 Peakwood Drive, S. W., a local builder, advised that the recommendation of City Planning staff will be counter productive; and the goal of design standards should be to promote new residential growth in the selected areas. He stated that Council should first consider the source of new construction, which is speculative construction by private sector builders - builders who must evaluate the risk versus the profit potential in areas governed by the proposed restrictions. He explained that the proposed standards will increase the cost of construction, thereby reducing the full potential for consumers, increasing the builders ranking factor, and will ultimately serve as a negative impact on many or all builders to speculate in the market. He stated that the proposed regulations would increase the cost of constructing homes in specific areas; the ND standards could be the undoing of the very neighborhoods that they are proposed to protect, and individual property rights of home owners should be considered. He advised that builders would like to assist the City in developing standards that would less negatively impact the goals of the Neighborhood Design district.

Ms. Gale Martin, 1436 Syracuse Avenue, N. W., spoke in support of the ND District standards. She advised that her neighborhood is an old and established community where people enjoy the lay out of their homes; and the construction of infill housing, which is not compatible with the neighborhood, is discouraging. She requested that Council consider the needs of the community and enact the proposed ND standards.

Mr. Brian Maslyk, Residential Architect, Balzer & Associates, encouraged that Council not be fooled into thinking that the proposed ND regulations are traditional neighborhood development. He explained that traditional neighborhood development begins with infrastructure, site lighting, street widths, sidewalks, alley ways and many other amenities besides the proposed guidelines.

Mr. Adam Cohen, 6036 Chagall Drive, S. W., a builder in the Roanoke Valley, advised that he recently constructed an infill house in South Roanoke and according to the proposed ND standards, he violated nine regulations when constructing the house; however, that same house was recognized in national design competition as being an exceptional design in architecture. He stated that the proposed design standards will kill creativity in the City of Roanoke; and the City's attempts to help communities grow is admirable, but the City is not taking a wholistic approach by looking at the entire package, such as available grants through the Federal government, and the work of organizations such as the Northwest Neighborhood Environmental Organization and Habitat for Humanity. He stated that the proposed regulations will fail, the Neighborhood Design standards need further study, and suggested that the matter be referred back to the City Planning Commission to arrive at a more wholistic approach.

There being no further speakers, the Mayor declared the public hearing closed.

Richard Rife, Vice-Chair, City Planning Commission, called for comments by City Planning Commission members.

Commissioner Hill advised that affordable housing does not mean bad housing; and problems in the affected communities do not evolve solely around housing, but include social problems, economic problems, etc., that cannot be addressed through the ND standards. He stated that housing is only one aspect and should not be voted against simply because it is not a part of the larger scheme, and he failed to understand how improved housing through the ND overlay is not in the best interest of the affected neighborhoods. He advised that even though the neighborhood cannot be completely improved through this process, it is a good step in the right direction, and he intended to support the ND District.

Commissioner Williams advised that at some point in time it may be necessary to refine the regulations, or make substantial changes, but the proposed regulations provide a good first step in trying to correct some of the serious and existing problems in the neighborhoods. He explained that the proposed ND standards are not any more restrictive than the standards in the H-2 District in Old Southwest. He stated that it is true that the proposed standards are not traditional neighborhood development, and agreed with a previous speaker that true traditional neighborhood development starts with infrastructure.

Vice-Chair Rife advised that the argument of the Roanoke Valley Homebuilders Association that the ND guidelines will limit development of infill housing is "hollow". He stated that the proposed ND regulations represent a step forward, and he intends to support the proposed standards.

Upon a roll call vote of the City Planning Commission, the proposed Neighborhood Design standards were recommended to Council for approval.

Inasmuch as two Members of Council were absent, Council has received input from citizens, and a recommendation from the City Planning Commission, Mr. Bestpitch moved that action on the ordinance be tabled until the next regular meeting of Council on Monday, November 4, 2002, at 2:00 p.m. The motion was seconded by Carder and adopted.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk and the Secretary to the City Planning Commission having advertised a joint public hearing for Tuesday, October 15, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City Planning Commission that properties within the Melrose-Rugby neighborhood generally bounded by Interstate 581, Lick Run and Andrews Road on the north, Melrose and Orange Avenues on the south, Tenth Street on the east, and Lafayette Boulevard on the west, be zoned ND, Neighborhood Design District overlay, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 27, 2002, and Friday, October 4, 2002, and in The Roanoke Tribune on Thursday, October 3, 2002.

Christopher Chittum, Senior Planner, advised that the public hearing pertains to the actual zoning of the Neighborhood Design District overlay in the Melrose/Rugby neighborhood. He explained that the neighborhood is slated for this proposed rezoning for a number of reasons; i.e.: it has been plagued by considerable incompatible infill housing and meets the three criteria set forth in the City Code for establishment of the ND district, it is located within an area that is designated on an adopted plan for conservation, rehabilitation and redevelopment, and it is identified in the City's Comprehensive Plan as having historic or unique architectural value and contains at least two contiguous acres. He advised that Melrose/Rugby will be the first neighborhood approved for the ND designation, if approved by Council and the City Planning Commission. He noted that Vision 2001-2020 supports implementation of the ND District through a number of policies; i.e.: revising the zoning ordinance to encourage quality infill development that reflects the character of the neighborhood, including infill development standards; and developing criteria for evaluating new residential proposals to ensure compatibility with surrounding neighborhoods and support of the City's goals of a balanced and sustainable housing supply. He stated that the Melrose/Rugby Neighborhood Plan adopted by Council in June 2001 recommends that the City create an ND District overlay zoning throughout the neighborhood; and design of infill housing is identified in the Plan and was the top concern of residents of the area as expressed during neighborhood workshops which led to development of the Neighborhood Plan. He added that Melrose/Rugby residents believe that ensuring compatible infill design is essential to maintaining their property values, attracting new residents, and encouraging long term neighborhood revitalization. He stated that City Planning staff recommends approval of the ND District overlay in the Melrose/Rugby neighborhood, application of the ND District and implementation of recommendations of Vision 2001-2020, and the Melrose Neighborhood Plan will protect the neighborhood from incompatible construction, maintain property values, and encourage neighborhood revitalization.

The Mayor advised that numerous persons had signed up to speak on the issue and advised that each speaker would be allotted three minutes.

Mr. A. L. Holland, 3425 Kershaw Road, N. W., representing High Street Baptist Church, located at the corner of Florida Avenue and Lafayette Boulevard, N. W., expressed concern with regard to brick structures that have existed in the neighborhood for many years, and if other types of homes are constructed, property values of existing homes will be affected and/or decreased.

Mr. Joseph Lynn, 1831 Syracuse Avenue N. W., Chairman, Andrews Road Civic League, expressed confusion with regard to the area to be included in the ND District overlay. He stated that his neighborhood contains RS-1, RS-2, RS-3 , C-1 and C-2 zoning and inquired as to how the ND District will affect his neighborhood. He explained that the areas that are currently zoned RS-3 are primarily of brick construction and include new homes which do not need rehabilitation; therefore, the Andrews Road Civic League would like to retain its current zoning. He stated that the City or Roanoke should enact more stringent application of current regulations which would eliminate the need for Neighborhood Design District overlay provisions.

Mr. Robert Gravely, 617 Hanover Avenue, N. W., advised that in order for the proposed ND regulations to be successful, the area needs to be crime free and businesses need to flourish.

Ms. Gale Martin, 1436 Syracuse Avenue, N. W., advised that property values in the neighborhood have decreased because of incompatible infill structures that have previously been constructed. She stated that a clear definition and understanding of what is to be allowed in the Melrose/Rugby neighborhood is in order.

Ms. Estelle H. McCadden, 2128 McDowell Avenue, N. W., President, Melrose/Rugby Neighborhood Forum, expressed concern with regard to delaying the vote on the ordinance before Council until Monday, November 4, which will allow more time for permits to be issued to developers to construct infill housing. She stated that she would encourage property owners in the Melrose/Rugby neighborhood to refrain from selling lots until the ND District ordinance is approved by Council, thus eliminating the threat of additional infill housing.

Mr. Demetrius Phelps, 2102 Mercer Avenue, N. W., advised that he would like to construct an addition to his residence, but under the proposed ND guidelines, it will be difficult to do so. He stated that there should be more planning by the City before Council enacts the proposed ND overlay regulations.

The Director of Planning and Code Enforcement responded to Mr. Lynn's question with regard to the impact on current zoning in his neighborhood, and advised that application of the ND overlay in no way affects underlying zoning districts already in place. He explained that the overlay provides more design teeth in the set of regulations for the Melrose/Rugby neighborhood, but would not change existing underlying zoning in RS-1, RS-2 or RS-3 areas, nor would it allow existing residential zoning to be converted to commercial.

There being no further speakers, the Mayor declared the public hearing closed.

Upon a roll call vote, the City Planning Commission recommended that Council approve the Neighborhood Design District zoning overlay in the Melrose/Rugby neighborhood.

Question was raised by a Member of Council that in previous public hearings, citizens in favor of and those against a specific item were invited to stand; however, the Mayor had not followed that procedure with regard to the present and previous public hearings; whereupon, the City Attorney advised that the court prefers to look at the record of the evidence and comments that are contained in the records of a governing body. He explained that one court frowned upon the counting of heads of persons at a public hearing and stated that it is not a matter of how many people attend a public hearing, but the merits of the debate. Therefore, the City Attorney advised that the counting of heads is discouraged, and free and open discourse on the merits of the matters before the Council is in order.

Ms. Wyatt advised that standards are needed for the Melrose/Rugby neighborhood because all citizens are desirous of preserving the character of their neighborhood, regardless of where they live. She expressed concern that the proposed ND guidelines could create problems for those persons who want to increase the value of their homes. She called attention to persons who have a long term investment in their neighborhoods, who do not want infill housing, but neither do they want empty lots and guidelines that are so rigid and structured that they prohibit homeowners from making additions to their homes. She spoke in support of enacting regulations that are geared more toward preserving the character of the neighborhoods.

For the above stated reasons, Ms. Wyatt moved that the matter be referred back to the City Planning Commission for further study.

The motion failed for lack of a second.

Ms. Wyatt withdrew the motion.

Inasmuch as two Members of Council were absent, Council has received input from citizens, and a recommendation by the City Planning Commission, Mr. Bestpitch moved that the ordinance be tabled until the next regular meeting of Council on Monday, November 4, 2002, at 2:00 p.m. The motion was seconded by Mr. Carder and adopted.

The Mayor declared the City Council meeting in recess to be reconvened in five minutes.

The Vice-Chair declared the City Planning Commission meeting adjourned.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, October 15, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Larry J. Conner, that property located at 547 Campbell Avenue, S. W., designated as Official Tax No. 1112510, be rezoned from LM, Light Manufacturing District, to C-1, Office District, subject to certain conditions proffered by the petitioners, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 27, 2002, and Friday, October 4, 2002.

A report of the City Planning Commission advising that use of the property will be limited to general and professional offices, home occupation uses, non-profit counseling and services, excluding drug rehabilitation and/or substance abuse programs, and multifamily residential (so long as said multifamily use is approved by the Board of Zoning Appeals), was before Council.

The City Planning Commission recommended that Council approve the request for rezoning, which is consistent with Vision 2001-2020; and the rezoning would allow a mixture of office and residential uses on the property and is consistent with desired development patterns in downtown.

Mr. Carder offered the following ordinance:

(#36108-101502) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 111, Sectional 1976 Zone map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 66, page 477.)

Mr. Carder moved the adoption of Ordinance No. 36108-101502. The motion was seconded by Mr. Cutler.

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing. There being none, he declared the public hearing closed.

Ordinance No. 36108-101502 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Wyatt, and Mayor Smith-----5.

NAYS: None-----0.

(Vice-Mayor Harris and Council Member Dowe were absent.)

BONDS/BOND ISSUES-SCHOOLS-EQUIPMENT: Pursuant to action taken by the Council, the City Clerk having advertised a public hearing for Monday, October 15, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of the Roanoke City School Board for passage of a resolution, or resolutions, approving issuance by the City of Roanoke of its general obligation bonds, in an amount estimated not to exceed \$800,000.00, for the purpose of financing certain rehabilitations, repairs and/or equipment in connection with Lincoln Terrace Elementary School, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Tuesday, September 17, 2002, and Tuesday, September 24, 2002.

A communication from George J. A. Clemo, Attorney, advising that in October, 2001, at the request of the Roanoke City School Board, Council adopted Resolution No. 35606-101801, authorizing the School Board to rehabilitate the present school building at Lincoln Terrace Elementary School, authorizing an application to be filed with the Virginia Department of Education seeking an allocation of authority to issue qualified zone academy bonds to finance a portion of the rehabilitation, and authorizing publication of a notice of public hearing to be held in connection with the proposed bond issuance; however, after extensive inquiry, the School system was unable to find a buyer for the bond; and consequently, the public hearing, which was scheduled for November 5, 2001, was withdrawn from the Council's docket, was before the body.

It was explained that under applicable rules, preliminary allocation by the Virginia Department of Education of \$800,000.00 in qualified zone academy bond issuance authority to the project was carried over to 2002; additionally, upon further inquiry, it appears that the Bank of America is prepared to purchase the proposed qualified zone academy bond; and accordingly, Roanoke City Schools have requested that Council again authorize a public hearing on the proposed bond issuance, which is required pursuant to the Public Finance Act before the bond can be issued; and following the public hearing, approval by Council of a resolution approving the details of the bond and its issuance is requested.

Mr. Carder offered the following resolution:

(#36109-101502) A RESOLUTION authorizing the issuance of an \$800,000.00 General Obligation Qualified Zone Academy Bond (Lincoln Terrace Elementary School), Series 2002, of the City of Roanoke, Virginia, to be sold to Bank of America, N. A. and providing for the form and details thereof.

Mr. Carder moved the adoption of Resolution No. 36109-101502. The motion was seconded by Mr. Cutler.

The Mayor inquired if there were persons present who would like to be heard in connection with the matter. There being none, he declared the public hearing closed.

Resolution No. 36109-101502 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Wyatt, and Mayor Smith-----5.

NAYS: None-----0.

(Vice-Mayor Harris and Council Member Dowe were absent.)

NEIGHBORHOOD ORGANIZATIONS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Tuesday, October 15, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke that Vision 2001-2020, the City's Comprehensive Plan, be amended to include the Southern Hills Neighborhood Plan as an element of said Plan, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 27, 2002, and Friday, October 4, 2002.

A report of the City Planning Commission advising that the Southern Hills Neighborhood Plan was developed over a series of four community workshops sponsored by the City's Planning Building and Development Department; and the plan was developed based on an evaluation of existing neighborhood conditions and concerns identified by community residents.

It was noted that Vision 2001-2020 recommends that detailed neighborhood plans be developed and adopted for each of Roanoke's neighborhoods; the plan for Southern Hills has been reviewed by the neighborhood, by City staff and by the Long Range Planning Committee of the Planning Commission; and the plan identifies five high priority initiatives:

- Install lines to provide public sewer to the entire neighborhood
- Replace inadequate water lines and install fire hydrants
- Improve the drainage system
- Realign and improve Southern Hills Drive
- Improve the streetscape of U. S. Route 220

It was further noted that the plan also includes a future land use map to guide development and zoning patterns in the neighborhood.

The City Planning Commission recommended that Council adopt the Southern Hills Neighborhood Plan as a component of the City's Comprehensive Plan.

Mr. Carder offered the following resolution:

(#36110-101502) A RESOLUTION approving the Southern Hills Neighborhood Plan, and amending Vision 2001-2020, the City's Comprehensive Plan, to include the Southern Hills Neighborhood Plan.

(For full text of Ordinance, see Ordinance Book No. 66, page 483.)

Mr. Carder moved the adoption of Resolution No. 36110-101502. The motion was seconded by Mr. Bestpitch.

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing. There being none, he declared the public hearing closed.

Council Member Bestpitch called attention to five high priority initiatives identified in the neighborhood plan; i.e.: install lines to provide public sewer to the entire neighborhood, replace inadequate water lines and install fire hydrants, improve the drainage system, realign and improve Southern Hills Drive, and improve the streetscape of U. S. Route 220. He expressed concern, when taking into consideration how long ago the area was annexed to the City of Roanoke, that little has been done over the years to provide basic levels of infrastructure for those citizens who live in the Southern Hills neighborhood. He stated that he submitted his comments to suggest to the City administration that even in these difficult budget times and with all of the other challenges facing the City, it is hoped that the City of Roanoke will do everything it can to identify ways of moving the above referenced initiatives forward.

Resolution No. 36110-101502 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Wyatt, and Mayor Smith-----5.

NAYS: None-----0.

(Vice-Mayor Harris and Council Member Dowe were absent.)

EASEMENTS-DONATIONS/CONTRIBUTIONS-SUBDIVISIONS-UTILITY LINE SERVICES-TRANSPORTATION SAFETY-WATER RESOURCES: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Tuesday, October 15, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, in connection with a proposal of the City of Roanoke to vacate an existing water line easement located on privately owned property in exchange for a relocated easement to be dedicated to the City of Roanoke; and thereafter, the City of Roanoke proposes to quitclaim a portion of the new easement to the Virginia Department of Transportation, in connection with development of Kingston Estates, a new subdivision located in Roanoke County, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, August 11, 2002.

The City Manager submitted a communication advising that the City of Roanoke Water Division was contacted by a developer, John Griffin, regarding a new subdivision named Kingston Estates which he is constructing in Roanoke County; and the main water distribution line from the Falling Creek Filtration Plant runs through the property; the water line has existed in this location for approximately 100 years; the water line runs at a diagonal through the property, as shown on a Plat of Survey, which impacts the planned housing layout – two houses would be less than ten feet from the line; the line is under high water pressure and could cause considerable damage to property if left in its current location; and leaving the water line in its current location would make routine or emergency maintenance very difficult.

The City Manager further advised that the City requested the contractor to locate the water line in a new easement outside the lots in a dedicated water line easement; the new line and the new easement will be in place before the existing easement is vacated; water line relocation has been completed and is acceptable to the City of Roanoke Utility Department; the contractor has requested the City to quitclaim its easement through the roadways which VDOT requires in order to accept the road system for maintenance; and the City Attorney and the Attorney for the developer have agreed on a Deed of Release and Dedication for the water line and a Deed of Quitclaim which is acceptable to the City of Roanoke.

The City Manager recommended, following the public hearing, that Council approve execution of the Deed of Release vacating the existing water line easement, the Deed of Dedication establishing a new water line easement and a Deed of Quitclaim for VDOT for the easement through the roadway right-of-way.

Mr. Carder offered the following ordinance:

(#36111-101502) AN ORDINANCE authorizing the vacation and relocation of a portion of a main water distribution line easement from the Falling Creek Filtration Plant which runs across property known as Kingston Estates subdivision, and the acceptance and dedication of a new water distribution line easement across a portion of the same property, upon certain terms and conditions, and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 66, page 484.)

Mr. Carder moved the adoption of Ordinance No. 36111-101502. The motion was seconded by Mr. Cutler.

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing. There being none, he declared the public hearing closed.

Ordinance No. 36111-101502 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Wyatt, and Mayor Smith-----5.

NAYS: None-----0.

(Vice-Mayor Harris and Council Member Dowe were absent.)

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard, and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

No citizens had previously registered to speak.

There being no further business, at 9:00 p.m., the Mayor declared the meeting in recess until Thursday, October 17, 2002, at 9:00 a.m., in the Roanoke Boardroom at Bernard's Landing Resort and Conference Center, 775 Ashmeade Road, Moneta, Virginia, for the City Council's Planning Retreat.

The Council meeting reconvened on Thursday, October 17, 2002, at 9:15 a.m., in the Roanoke Boardroom, Bernard's Landing Resort and Conference Center, 775 Ashmeade Road, Moneta, Virginia, with Lyle Sumek, Lyle Sumek Associates, Inc., facilitating.

COUNCIL MEMBERS PRESENT: William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

STAFF PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; Mary F. Parker, City Clerk; George C. Snead. Jr., Assistant City Manager for Operations; and Rolanda A. Johnson, Assistant City Manager for Community Development.

COUNCIL: Mr. Sumek reviewed turbulent forces in today's times. He advised that turbulent times require courageous leaders who invest in the future and to act on the realities of today; they blend being a catalyst for change with a calm of stability; and the following realities contribute to today's turbulence:

Post 9/11 - Planning for possible future acts of terrorism; pressures from public safety unions - from national collective bargaining to significant salary increases; evaluation and plans for security at City facilities, from City Hall to water treatment plants; responding to desires of citizens for reassurance and a safe "backyard" - home and neighborhood.

Uncertain Economic Future - reduced revenues for current budget year; delays in business investments in community - a new mall, a business relocation; low return on investment income from reserves and "spare" cash; and rising cost of health insurance and fewer employee benefits.

Shift to Community Based City Government - greater willingness to question experts who may not understand the community; increased open government through public information requests to more citizen involvement prior to a decision; balancing the "best professional recommendation" with the "best for the community"; potential dominance by the negative five per cent who will never be satisfied and who are increasingly threatening leaders through misinformation.

Civic Impaired Citizenry - lacking little formal education about City government - roles, responsibilities and legal framework; little interest in government until they are personally affected by government; and unwilling to contribute to the City's future by getting involved or voting.

State "Attacks" on Cities - changing the legal framework from governance to taxation; taking away or restricting current revenue sources for cities; balancing highway projects, dollars, or grants; and acting with regard to the impacts on cities - both short-term and long term.

Desire To Be A “Service Business” - demand for greater cost consciousness, concern about service values to “citizen customers”; emphasis on productivity, performance and results; growing frustration with employee attitude of entitlement; and services based upon tradition rather than community need.

Mr. Sumek reviewed the ten lessons from great leaders on turbulence; i.e.:

Vision With Defined Goals - The courageous leader does not get captured by the events of today, but focuses on the future. They look at the horizon and present a dream that presents a desired future with goals defined by results that can be measured. In presenting this vision, the leader risks rejection and possible future political loss.

Simple Message, Meaning to Citizens - The courageous leader has a challenge of putting their vision and goals, the explanation of decisions and their actions into a simple message that the non-involved citizen can relate to in their daily life. The leader must focus on a few key points and help of others to understand without over simplifying the issues.

Taking Action, Producing Results - The courageous leader must build momentum through little successes, which means taking timely action now and producing visible results that make a difference that citizens can see. The action contributes to achieving the goal and realizing the vision. The leader challenges City processes to be more responsible and action oriented.

Decisive - The courageous leader makes timely decisions based upon the best available data. They keep the end result - the goal - in mind, seek and listen to input from others in the City and in the community, and make decisions within their areas of responsibility. For Mayor and Council, it is deciding policies, services and service level revenues; and not micro managing policy implementation, project management or service delivery.

Working Allies - Partners - The courageous leader looks for allies - allies for their vision and allies who believe in the value based future. These allies can contribute resources and bring a sense of renewed energy to the table. The leader actively seeks out these partners and defines ways of working together for a common good.

Act With Integrity - The courageous leader “walks the walk”. Their promises and commitments become reality. Their behaviors and actions reflect their words. Their communication is honest and direct. The leader focuses on their ability to look at themselves in the mirror and see a person who is a steward of the public trust and is driven by what is best for the City over personal agenda or gain.

Learns and Adjusts - The courageous leader is not driven by perfection, but realism. They take time to evaluate and to get feedback, to learn from the situation and to adjust to the turbulence. The leader recognizes that no plan is perfect and an effective plan always has risks of uncertainty.

Have Resiliency - The courageous leader is able to bounce back quickly from adversity, setbacks or failure. They recognize that every action is not going to produce the desired outcome and that the opportunity and environment is in a state of flux. When others want to dwell on the past, the leader refocuses on the future and enthusiastically believes that they can help to create a better tomorrow.

Taking Responsibility, Sharing Successes - The courageous leader takes responsibility for actions, problems and consequences; and shares successes with anyone who has contributed. They are not worried about personal credit or recognition. The leader admits failure whenever appropriate.

Instill Hope - The courageous leader believes in the future and rallies the support for the future. They believe that their efforts will make a difference. They ride the City’s “Board” and are a strong advocate for the City’s future without being “Pollyannaish”.

Mr. Sumek reviewed responses by Council Members for transforming the City organization.

He reviewed an Effectiveness Model which includes the following:

Core Competency:

Ideas include service responsibility - mission; what “we” do best; our services and our products; processes that produce results; our ability to compete with others; our core business; and knowing our job, our operation.

Capacity Building:

Ideas include resources to produce results; planning for succession - future; new knowledge and skills; expanding resources to produce better outcomes; being better; adjusting processes - focusing on outcomes.

Cooperation:

Ideas include “sacrificing” for others - greater good; sharing resources, being a participant; helping others to achieve their goal or our goal; adding value to the process and product; seeking assistance from others; willingness to and being receptive to others; success equals the City.

Accountability:

Ideas include putting a name on a product or service; personal conduct - actions taken; defining responsibilities, taking responsibility; transform to results; having consequences: positive or negative; best use of resources; and knowing the outcome or bottom line.

Mr. Sumek advised that a portion of the session would address vision and strategic planning. He stated that vision comes from the Council as the governing body; vision provides an overall framework for the City’s future, captures the dream of what Council wants the City to be 20 years in the future; and vision is presented in a set of principles which outline the key values of the Council’s dream for the City. He advised that mission defines the basic businesses of City government - reason for existence and contributions to the community and to the quality of life or citizens; mission begins with the core businesses of City government, followed by identification and development of the businesses of each department; different

cities have common businesses and some businesses that are unique to their City alone. He stated that goals define five-year outcomes for the City - Community - the destination point and direction for the City; and goals become a guidepost for policy development, policy decisions, management decisions and management/organization action. He stated that the policy agenda establishes a one-year work program for the City Council regarding the most important policy issues that need to be addressed, short-term; focus is on how the City organization conducts business, manages programs and services and implements projects. He noted that the management agenda establishes a one-year work program for the City management team of administrative and internal organization issues that need to be addressed short-term.

Mr. Sumek reviewed the goals of Council for the City of Roanoke 2008 and beyond as established at Council's Planning retreat in 2001; i.e.

**Healthy/Local Economy
Quality Services: Responsive, Cost Effective
Working Together as a City
Strong Neighborhoods
Vibrant Downtown
Enhanced Environmental Quality**

For reading at a later time, Mr. Sumek suggested that Council Members/staff read "8" Ways Test Strategic Goals Lead to Results".

He reviewed the following major achievements of the City, as stated by Council Members, i.e.:

**Comprehensive Plan: Adoption
City's Response: Water Crisis
Southeast by Design
Stadium/Amphitheater Project
Redirecting CDBG funding: Neighborhood Impact
Budget: Process and Document
Riverside Centre Developments
Air Service Strategy
Civic Center Expansion
Fire/EMS
Greenway Network
Consolidation of Planning/Code Enforcement Office**

Council Members engaged in an exercise, "Looking to the Future" in which they were asked to respond to the following questions: Roanoke 2012: My Vision; Major Challenges; Opportunities on the Horizon; My Agenda: 2003. Following individual completion of the exercise, each Council Member was allotted three minutes to share their responses to each of the above referenced questions.

Of the following principles, Council Members and staff were requested to rank their top 12 priorities:

- Capital Center for Western Virginia: economic, governmental and cultural
- Strong neighborhoods with quality infrastructure, livable homes
- Pedestrian oriented developments and City
- Financially sustainable City government
- Recognized leadership on regional and State issues
- Quality water supply meeting community needs
- Variety of venues to attract people
- Ease in traveling from and to the outside world
- Tourism: people coming to Roanoke, a key to our economy
- City services delivered in the most cost effective manner
- Young adults wanting to live in Roanoke: an exciting place to live
- Convenient parks and leisure activities
- Strong community pride and identity
- Top quality City services
- River and waterways clean and usable
- Protection of our natural beauty and resources
- Easement of movement within Roanoke
- Citizens involvement in City government/active partnership
- Known for educational excellence
- River front developed as an exciting focal point to live and play
- Trails and greenways linked throughout the community
- Reuse of brown fields and redevelopment for better uses
- Entertainment destination point: major events, sporting events and tournaments, festivals, etc.
- Businesses and individuals investing in Roanoke and in downtown
- Connectivity with universities and colleges
- One of the safest cities in the country
- Center for cultural arts and museums
- Increased city population
- Increased income.

From the above listed principals, Council Members/staff engaged in a ranking exercise and the following received the highest ranking:

Regional Center for Western Virginia: economic, governmental and cultural

Strong neighborhoods with quality infrastructure, livable homes

Financially sustainable City government

Quality water supply meeting community needs

Ease in traveling from and to the outside world

Young adults wanting to live in Roanoke/an exciting place to live

Strong community pride and identity

Protection of our natural beauty and resources

Known for Educational Excellence

River front developed as an exciting focal point to live and play

Reuse of brown fields/redevelopment for better uses

Entertainment destination point: major events, strong events and tournaments, festivals, etc.

Businesses and individuals investing in Roanoke and in downtown

Connectivity with universities and colleges

Center for cultural arts and museums.

The meeting was declared in recess at 12:10 p.m., for lunch.

At 1:20 p.m., the meeting reconvened.

The remainder of the work session consisted of a discussion of the City's goals with primary objectives, i.e.:

Healthy Local Economy

Quality services: responsive, cost effective, working together as a City, strong neighborhoods, vibrant downtown, and enhanced environmental quality.

Mr. Sumek advised that he would incorporate the suggestions of Council Members regarding additions and/or deletions to Roanoke 2008 and beyond for discussion at a future Council retreat.

The City Manager advised of efforts to establish a date for a joint City Council/School Board retreat and following the retreat, she requested that Council set aside additional time to meet with Mr. Sumek to review the goals and objectives of Council as revised during the current work session.

There being no further business, at 3:00 p.m., the meeting was declared in recess to be reconvened on Friday, October 18, 2002, at 12:00 noon, for the Regional Leadership Summit Luncheon, to be hosted by the City of Covington, City Hall, 333 West Locust Street, Covington, Virginia.

The City Council meeting reconvened on Friday, October 18, 2002, at 1:00 p.m., in the City of Covington, City Hall, 333 West Locust Street, Covington, Virginia, for a meeting of the Regional Leadership Summit.

CITY COUNCIL MEMBERS PRESENT: William D. Bestpitch, M. Rupert Cutler, Linda F. Wyatt and Mayor Ralph K. Smith-----4.

CITY COUNCIL MEMBERS ABSENT: William H. Carder, Alfred T. Dowe, Jr., and Vice-Mayor C. Nelson Harris-----3.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; and Mary F. Parker, City Clerk.

Representatives from the City of Salem, Town of Vinton, Roanoke County, Botetourt County, Montgomery County, Allegheny County, Bedford County, Franklin County and the City of Covington were also in attendance.

COUNCIL-LEGISLATION-REGIONAL LEADERSHIP SUMMIT: The Honorable Temple Kessenger, Mayor, City of Covington, welcomed all participants to the meeting and presented a film outlining the accomplishments of the City of Covington.

Wayne Strickland, Executive Director, Roanoke Valley-Allegheny Regional Commission facilitated the meeting.

Mr. Strickland advised that on September 26, 2002, City Managers/Administrators met to prepare a proposed list of legislative items to be considered by the Regional Leadership Summit and narrowed the list down to less than ten items that were considered to be key components. He stated that the legislative items are categorized into the following topics: Education, Taxing and Funding, Transportation and Local Authority. The following recommendations for presentation to local representatives to the General Assembly were reviewed:

EDUCATION:

The General Assembly should fully fund the Standards of Quality. The Commonwealth has an obligation to fund the Standards of Quality on the basis of realistic cost – reflecting actual education practices to include capital, operating and maintenance costs.

TAXING AND FUNDING:

The General Assembly should eliminate the distinction in taxing authority of Virginia's cities and counties. Counties should possess the same authority as cities to levy taxes on tobacco products, lodging, meals and admissions. The Tax Commission recommended elimination of the distinction in taxing authority.

The General Assembly should require state agencies, such as the Virginia Department of Housing and Community Development, to use specific income data from towns when assessing grants-in-aid programs. Currently, data for counties are used when towns apply for grants and often the economic conditions in a town differ significantly from the economic condition of the county in which they are located. This places the towns at a disadvantage when applying for competitive state grants.

TRANSPORTATION:

The General Assembly should require VDOT to find a funding mechanism that will expedite the widening/improvements to Interstate 81. I-81 is the economic lifeblood of Western Virginia. Improvements to this highway will enhance safety and promote the economy of this region. The communities in Western Virginia cannot wait 40 - 50 years for the widening of I-81 to take place.

The General Assembly should fund implementation of passenger rail service in the Roanoke to Bristol corridor. Rail service will provide a good multi-modal addition to the highways and airports currently serving the region.

The General Assembly should fund the Smart Road outside of the VDOT funds allocated to the Salem Transportation District. Approximately 35 per cent of the funds allocated to the Salem District are going to pay for the Smart Road. This highway facility represents an economic benefit for the entire Commonwealth and the nation, and as such, the funds for the Smart Road should not come solely from this region's highway allocation.

LOCAL AUTHORITY:

The General Assembly should not pass legislation that takes away local government authority over land use issues. For example, legislation will be considered in the 2002-03 session that will require manufactured housing to be permitted "by right" in all residential zoning districts. Such legislation would directly affect the power of local councils and boards to control land use in their communities.

Mr. Strickland proposed that members of the Regional Leadership Summit meet with area legislators on October 31 or November 25 at 12:00 noon to present the above referenced recommendations.

Following discussion, it was the consensus of the majority in attendance that the meeting with area legislators will be held on Thursday, October 31, 2002, at 12:00 noon at a location to be later announced; and Mr. Strickland would send letters of invitation to area legislators, along with a copy of the proposed recommendations.

Mayor Smith moved approval of the recommendations as discussion points for the October 31 meeting with area legislators. The motion was seconded by Mr. Bestpitch.

There was discussion that City Councils and Boards of Supervisors should band together in advising local legislators that instead of placing the taxing burden on localities, they should either raise taxes or cut the car tax; and legislators should be made accountable for the results of actions that take place at the General Assembly.

Discussion also centered around advising legislators that local officials oppose any state action that would limit or restrict existing taxing authority of localities; counties should possess the same authority as cities to levy taxes on tobacco products, lodging, meals and admissions; the state has taken on too many

projects and the difference between inflation, population, economic growth and the growth of the state budget is somewhere between two and four per cent; if the state dictates that money is to be spent in a certain way, the state should fund the mandate; the state is not doing a wise job in spending taxpayers' dollars; and a one per cent increase in the sales tax in the Commonwealth of Virginia would help to solve existing problems.

It was the consensus of the Regional Leadership Summit that on October 31 area legislators should be told that the State is not addressing certain matters for which it is responsible; and there are approximately 500 Federal and State mandates in the Commonwealth of Virginia, some of which are funded fully, some of which are partially funded and some of which are not funded at all.

It was agreed that another sentence will be added to the recommendation on taxing and funding to request that the General Assembly should not limit or restrict existing local revenue sources.

Following further discussion, it was agreed that Roanoke City Manager Darlene Burcham would work with Mr. Strickland on proper phrasing of the statement.

The motion to adopt the recommendations with the above referenced addition was adopted; and it was agreed that the recommendations will be forwarded with the letters of invitation to area legislators.

There was discussion in regard to designating a facilitator for the October 31 meeting; whereupon, it was the consensus that Mr. Strickland will serve in that capacity. Following further discussion, it was the consensus that Council Member Linda Wyatt, City of Roanoke, and Board Chair Mary Biggs, Montgomery County, will present the section on Education; Mayor Sonny Tarpley, City of Salem, will present the section on Taxing and Funding; Board Chair Joe Church, Roanoke County, will present the section on Requesting State Agencies such as the Virginia Department of Housing and Community Development to use specific income data from towns when assessing grants in aid programs; Board Chair Wayne Angell, Franklin County, will present the section on Not Limiting or Restricting Existing Local Revenue Sources; Board Chair Steven Clinton, Botetourt County, would present the section on Widening and Improvements to I-81; Council Member William Bestpitch, City of Roanoke, would present the section on Implementation of Passenger Rail Service in the Roanoke to Bristol corridor; Board Member Joe McNamara, Roanoke County, would present the section on Funding for the Smart Road Outside of the VDOT funds allocated to the Salem Transportation District; Mayor Temple Kessinger, City of Covington, and Chair Cletus Nicely, Allegheny County, would present the section on Local Authority.

It was agreed that an elected official will make opening remarks and set the tone for the meeting, and that the local official would depend upon which locality hosts the luncheon.

The representative from Montgomery County distributed copy of Montgomery County's Legislative Priorities for 2003.

Mr. Strickland called attention to an Early Reduction Compact, which will attempt to address the issue of ozone non-attainment for the Roanoke Valley. He advised that the Environmental Protection Agency (EPA) will likely declare the Roanoke Valley a non-attainment area for ozone in March of 2004; however, if the region is able to form an Early Reduction Compact, this designation can be deferred for up to three years, or possibly eliminated all together; and the Compact falls under the EPA's approved Early Action Program.

He explained that the Early Action Program allows local governments that would be designated part of a non-attainment area to work cooperatively to prepare a plan for ozone reduction, which allows local governments the flexibility to determine appropriate measures in their region to reduce ozone levels, in lieu of Federal and State governments mandating specific ozone reduction requirements; additionally, by participating in the Early Action program, the localities will be showing their constituents that they are being "proactive" in trying to improve air quality in the region; participation in the program is crucial because if the EPA declares the region as a non-attainment area, both future transportation improvements and industrial development efforts will be affected.

Mr. Strickland further explained that in order for the region to participate in the program it must have an Early Reduction Compact agreed to and signed by representatives of participating local governments by December 31, 2002; and following formation of the Compact, participating local governments will have one year, until December 31, 2003, to prepare a plan to demonstrate how they will reduce ozone levels by 2007.

The Roanoke City Council meeting was declared in recess at 2:00 p.m., to be reconvened on Thursday, October 31, 2002, at 12:00 noon for a luncheon meeting of the Regional Leadership Summit with elected officials to the General Assembly representing the City of Roanoke, City of Salem, City of Covington, Town of Vinton, Franklin County, Roanoke County, Botetourt County, Allegheny County, and Bedford County.

The City Council meeting reconvened on Thursday, October 31, 2002, at 12:00 noon at the Salem Civic Center, 1001 Salem Boulevard, Salem, Virginia, Parlor C, for a meeting of representatives of the Regional Leadership Summit and legislators representing member localities to the Regional Leadership Summit.

PRESENT: Council Members William D. Bestpitch, M. Rupert Cutler and Linda F. Wyatt-----3.

ABSENT: Council Members William H. Carder, Alfred T. Dowe, Jr., C. Nelson Harris and Mayor Ralph K. Smith-----4.

OFFICERS PRESENT: William M. Hackworth, City Attorney; and Mary F. Parker, City Clerk.

LEGISLATORS PRESENT: Senator John S. Edwards, representing the 21st Senatorial District; Senator Bo Trumbo, representing the 22nd Senatorial District; Delegate A. Victor Thomas, Delegate Clifton A. Woodrum, III, and Delegate Morgan Griffith.

Also represented were members of City Councils/Boards of Supervisors and staff of the following localities: City of Roanoke, City of Covington, City of Salem, Town of Vinton, Bedford County, Roanoke County, Botetourt County, Allegheny County, Montgomery County and Franklin County; Wayne G. Strickland, Executive Director, Roanoke Valley/Alleghany Regional Commission; Christie Meredith, Legislative Aide to Delegate Woodrum; Brian Shepherd, Legislative Aide to Delegate Thomas; and Melinda Payne, City of Salem Public Information Officer.

COUNCIL-LEGISLATION-REGIONAL LEADERSHIP SUMMIT: Following lunch, the Honorable Sonny Tarpley, Mayor, City of Salem, welcomed all attendees and advised that members of the Regional Leadership Summit have united in order to take cities, counties and towns into the future. He stated that the list of concerns which will be presented at today's session are not only needed for the future, but they are needed in order for localities to remain in the status quo position.

Mr. Strickland presented an overview of Regional Leadership Summit activities. He advised that the Regional Leadership Summit has been meeting for the past two years in the Allegheny Highlands, the Roanoke Valley, the New River Valley, the City of Lynchburg, Franklin and Bedford Counties; each Leadership Summit meeting has been held in a different locality which gives the host locality an opportunity to highlight programs and services provided to its citizens; and

meetings have also provided an opportunity for elected and administrative officials to get to know each other in an effort to build trust and comfort levels; and meetings have allowed elected officials to gain a better understanding of specific issues facing counties, cities and towns. He explained that issues facing rural areas may be different from those issues of the more urban areas, but there are numerous common concerns that all localities must address. He stated that the Leadership Summit has led to regular meetings of the Mayors and Chairs and the Chief Administrative officials to discuss issues that should be addressed at future Leadership Summit meetings. He noted that meetings have helped local officials to understand that they represent one economic region, and officials have gained a better appreciation for the idea that the economy is regional in nature and if several jurisdictions suffer economically, the entire region may suffer over time.

Mr. Strickland explained that key legislative issues will be presented, which have been approved by local elected officials working cooperatively to address broad issues of concern to the region; i.e.: Education, Taxing and Funding, Transportation and Local Authority.

TAXING AND FUNDING:

The Honorable Sunny Tarpley, Mayor, City of Salem, advised that the General Assembly should eliminate the distinction in taxing authority of Virginia's cities and counties; counties should possess the same authority as cities to levy taxes on tobacco products, lodging, meals and admissions; and the Tax Commission recommended the elimination of the distinction in taxing authority.

The Honorable Wayne Angell, Chair, Franklin County Board of Supervisors, advised that the General Assembly should not limit or restrict existing local revenue sources. He stated that there should be enhancements and a broadened taxing authority and funds should not be replaced from a source that localities presently depend on.

The Honorable Joe "Butch" Church, Chair, Roanoke County Board of Supervisors, advised that the General Assembly should require State agencies, such as the Virginia Department of Housing and Community Development, to use specific income data from towns when assessing grants-in-aid programs. He stated that currently, data for counties are used when towns apply for grants and often the economic conditions in a town differ significantly from the economic condition of the county in which they are located, which places the towns at a disadvantage when applying for competitive state grants.

He explained that he brought the matter forth on behalf of the Town of Vinton because Roanoke County demographic information is stronger in the Cities of Roanoke and Salem, but the Town of Vinton's population or land use patterns more accurately reflect those found in the two cities and not in Roanoke County. Therefore, he stated that by using the Town's demographic information and not Roanoke County's, the Town of Vinton would better compete for grants in aid programs.

EDUCATION:

The Honorable Linda F. Wyatt, Council Member, City of Roanoke, advised that the General Assembly should fully fund the Standards of Quality. She stated that the Commonwealth of Virginia has an obligation to fund the Standards of Quality on the basis of realistic costs – reflecting actual education practices to include capital, operating and maintenance costs.

She stated that some legislators have stood tall and taken the heat to adequately fund public education and the mandates that have been imposed, for which she expressed appreciation as a retired teacher, local public official, and on behalf of the children of the Commonwealth of Virginia. However, she added that other legislators have found every excuse in the book not to adequately fund public education. She advised that public education is a local responsibility and referred to a constitutional provision which clearly states that the responsibility belongs to the State legislature. She noted that the state legislature had 51 opportunities to vote and move toward adequately funding the Standards of Quality that it mandated, but on 51 occasions the legislature put greed over Virginia's children, and according to the Congressional Quarterly, Virginia ranks 49th in state aid per pupil, with only the State of Nevada ranking lower.

She asked that the General Assembly vote to raise taxes in order to adequately fund public education in the Commonwealth of Virginia, because the children of Virginia need for their legislators to act like statesmen and not politicians.

TRANSPORTATION:

The Honorable Steve Clinton, Chair, Botetourt County Board of Supervisors, advised that the General Assembly should require the Virginia Department of Transportation (VDOT) to find a funding mechanism that will expedite widening/improvements to Interstate 81. He stated that I-81 is the economic lifeblood of Western Virginia, improvements to the highway will enhance safety and promote the economy of this region; and the communities in western Virginia cannot wait another 40 - 50 years for widening of I-81 to take place.

He referred to statistics that approximately 1,000 people are killed every year on Virginia's highways and each fatality costs approximately \$980,000.00, traffic crashes are the leading cause of death for Americans, ages 3 - 44, one in every eight traffic fatalities is the result of heavy trucks, and each \$1 billion spent on road construction results in \$2.05 billion in increased economic activity and approximately 16,000 jobs directly or indirectly.

The Honorable William D. Bestpitch, Member, Roanoke City Council, advised that the General Assembly should fund implementation of passenger rail service in the Roanoke to Bristol corridor. He stated that rail service will provide a good multi-modal addition to the highways and airports currently serving the region. He added that the General Assembly should fund implementation of passenger rail service in the Roanoke to Bristol corridor; and rail service will provide a good multi-modal addition to the highways and airports currently serving the region. He advised that at the Federal and State levels, most of the resources are going strictly for highway development, with very little allocated to rail service, the time has come to look at the effectiveness of building more highway lanes to move people about, and it is difficult to identify examples of locations where additional highway lanes have actually improved the traffic congestion that they were intended to improve. He asked that the General Assembly, particularly in these difficult budget times, look at the economic advantages and cost effectiveness when taking into consideration those improvements that can be realized as a result of spending dollars on passenger rail versus what can be accomplished by spending dollars elsewhere, because there is a need to achieve a better balance. He called attention to the need to invest in all other modes of transportation as well, in order to achieve a better balance.

The Honorable Joe McNamara, Member, Roanoke County Board of Supervisors, advised that the General Assembly should fund the Smart Road outside of the VDOT funds allocated to the Salem Transportation District. He stated that approximately 35 per cent of the funds allocated to the Salem District are going to pay for the Smart Road; the Smart Road represents an economic benefit for the entire Commonwealth of Virginia and the region, and as such, funds for the Smart Road should not come solely from this region's highway allocation.

He advised that VDOT's Six Year Plan, which was adopted in June 2002, included \$7.3 billion, which is a 28 per cent reduction from the \$10.1 billion previously allocated. He expressed concern specifically within the Salem District, and advised that he was not suggesting more funds for VDOT, but more money for the Salem District. He also advised that the Salem District presents a challenge

because of the length of Routes 220 and 460 which create a deficit position in highway funding in the Salem District. He stated that there was a reduction in the Salem District of 33 per cent and in addition, \$36 million over the next six years will be funded out of the \$99 million for the Smart Road. Although the Smart Road will continue to be a tremendous asset to economic development for the entire Commonwealth of Virginia, Virginia Tech and the United States, he challenged the fairness of the Salem District bearing the load to develop the Smart Road in its entirety. In comparing other districts, he advised that the reduction ranged anywhere from 5.73 per cent for northern Virginia down to the Salem District with a total reduction of 44.11 per cent. He stated that part of the problem can be solved by funding the Smart Road off the top and then look at reductions.

LOCAL AUTHORITY:

The Honorable Temple Kessinger, Mayor, City of Covington, advised that the General Assembly should not pass legislation that takes away local government authority over land use issues. For example, he stated that legislation will be considered in the 2003 Session of the General Assembly that will require manufactured housing to be permitted "by right" in all residential zoning districts, and such legislation would directly affect the power of local councils and boards of supervisors to control land use in their communities.

He advised that the City of Covington would like to keep double wide trailers out of the historic district.

CONCLUDING REMARKS:

The Honorable Don Davis, Mayor, Town of Vinton, advised that there is no need to place the blame on any one person or party in regard to budget problems because a series of events caused the current budget shortfall. He stated that the problems plaguing Virginia's budget were not created over night and they will not be solved over night, but localities and the legislature need to work together in order to get through these difficult budget times. He referred to the concerns of localities represented on the Leadership Summit in regard to budget cuts in State funding, and noted that when State funding was cut, funding for localities was also cut, and in most cases localities either had to cut services or raise taxes, and some localities had to do both. He stated that funds are being cut in all areas; however, he referred to specific areas that are important to the localities represented on the Regional Leadership Summit, the first being education because of the necessity to continue to educate our children and provide them with an opportunity to succeed in life. He

explained that in 2001, Virginia was ranked 32nd in education, while prisons ranked number one. He stated that the second area of concern is public safety, and law enforcement 599 funds are being cut which affects the amount of police protection provided for citizens. Lastly, he referred to State budget cuts in economic development and tourism, 19 persons will be laid off and out of the 19, 15 positions are in the Economic Development Department. He called attention to the need for new businesses locating in the localities to provide tax dollars for essential services and to offset some of the State's budget cuts. He advised that budget cuts have been made in most departments of the Commonwealth and in local government, and questioned when the decreases in State funding will stop. He stated that local government leaders cannot continue to provide essential services to citizens if local funding is cut, and localities cannot continue to function if General Assembly members and other leaders in Richmond do not do something to help the localities. He added that localities believe they have done all they can do and it is now up to the legislature; no locality wants to raise taxes, but the State has forced localities to do so in many instances in order to keep local government operating. He advised that it is hoped that the General Assembly would do the same if that is what it takes to get the Commonwealth of Virginia back to where it should be. He noted that the State's budget will be one of elected officials focusing on many different and sometimes unpleasant choices, and legislators will be forced to make difficult decisions to ensure that the needs of the citizens of Virginia are met. He explained that the local officials assembled today have joined together to help legislators meet the needs of all of Virginia's citizens, and encouraged that legislators do whatever is necessary to take the Commonwealth of Virginia back to where it was a few years ago, even if it means raising taxes or cutting the car tax. He stated that another possibility is relaxing the Dillon Rule and changing the priorities of the General Assembly.

Senator Trumbo expressed appreciation for the opportunity to discuss pertinent issues, and advised that the number one issue is the State's current financial position. He explained that the Governor has submitted \$850 million worth of cuts to the existing budget in order to meet the constitutional requirement of balancing any shortfalls in the budget; over the next biennium, the figure could increase and the State is looking at a total shortfall of approximately \$1.6 billion, so if one applies the Governor's cuts to that, we are only half way there. He stated that because of the Standards of Quality (SOQ) funding per student and an increase in K-12 population over the next several years, along with Medicaid costs, the State is looking at another \$500 million expenditure, so there is the potential for a \$2 billion shortfall over the next biennium, which will cause some problems inasmuch as the General Fund budget overall and aid to localities will take up 50 per cent of

expenditures in the General Fund budget. Therefore, he explained that there is no way the General Assembly can cut State agency budgets and reap the amount of money that is needed in order to match the budget shortfall. He advised that it is going to be difficult to prioritize when addressing SOQ funding, Medicaid funding, and community service boards. He stated that the budget shortfall can be balanced on any number of cuts – SOQ funding, Medicaid funding, but the question is, are we going to take the consequences of those cuts and therein lies the need to look to our constituency. He stated that legislators are going to take their role from what their constituencies advise which is a function of the upcoming election process; therefore, he is depending on his constituents coming together and informing him as to future direction. He added that we are currently at a crossroads where it is important to recognize the priorities as demonstrated by individual constituencies. He advised that there is no particular “appetite” on the part of the Senate Finance Committee, of which he is a member, to raise taxes and it is going to take some other type of movement to inform the Senate Finance Committee otherwise.

Senator Trumbo stated that towns and counties are now providing the same types of infrastructure needs as cities formerly provided and there should not be a difference. He advised that in an effort to maintain the ability for persons to function within the system, there must be uniformity, so the question becomes the method of implementation because the provision should be uniform statewide, as opposed to being different in each jurisdiction. He stated that existing local revenue sources should not be limited or restricted, and called attention to a State Commission charged with the responsibility of reviewing the total tax structure, which is a massive undertaking that needs to be done. He added that we are no longer an agrarian society as we were in the past, we have to recognize our differences and come together with not only a statewide approach, but also look at funding extremes. He advised that at this point, he did not believe that taxing should be further restricted, but by the same token there should be some assurance over the long term that there is a hold harmless for localities so that localities are not restricted when undertaking a restructuring of the entire tax structure. He agreed that the General Assembly should require State agencies, such as the Virginia Department of Housing and Community Development, to use specific income data from towns when assessing grants in aid programs, because the ability to use the towns’ own data is extremely important in relation to needs, wants and desires of the specific community.

He advised that I-81 is in limbo because of the Public Private Transportation Act proposals, although there is no question that something needs to be done. He concurred in previous remarks regarding the Smart Road which is a Commonwealth of Virginia asset and not a Salem District asset.

He stated that the question needs to be answered as to whether there is a market for rail transportation, are the traveling patterns of people going to be changed, a considerable amount of money will be needed to upgrade rail track from freight hauler to passenger service, and the question is, where will the money come from. Therefore, he stated that it is important to look at total cost, as opposed to market value and return on revenue.

Senator Trumbo referenced what is referred to in the State of Maryland as "smart growth", which is nothing more than a state-wide land use pattern. He stated that money needs to be spent in those areas which need it most; however, most people in the State of Virginia, population-wise, would probably say that the transportation dollar should be spent in northern Virginia because more people use transportation in that area, but, by the same token, he questioned whether that should take money away from the ability to expand uses. He concurred in previous remarks that land use patterns should be done on a local basis and not on a state wide basis.

Senator Edwards expressed appreciation for the opportunity to meet with local elected and administrative officials. He advised that all of the issues addressed today deal with money which, like water, is currently a scarcity in Virginia. As stated by Senator Trumbo, he stated that the question becomes one of money or politics, and the money is there if the politics are there. He stated that last year the Senate, on two occasions, passed a bill for a statewide referendum to add one cent to the sales tax for education and on both occasions the bill was never considered by the full House of Representatives. He advised that the budget situation is getting worse, last year \$3.8 billion was cut from the budget, plus cuts in the current biennial budget — \$1 billion this year and \$1 billion next year. He stated that the question is, how to solve the problem, and advised that there could continue to be cuts to the Division of Motor Vehicles, or some type of revenue enhancements; and there are a number of options on the table, although no one is specifically addressing any one option. He noted that citizens will speak out through the upcoming election process; however, during the 2003 Session of the General Assembly, there will have to be some proposals concerning revenue enhancements.

Senator Edwards discussed the bond issue which will be included on the election ballot on Tuesday, November 5, which will allow the citizens of the Commonwealth of Virginia to say something about the future of higher education and the future of parks and recreation facilities. He stated that taxes will not be affected, but the future of higher education is at stake because Virginia's colleges

and universities are having to cut back on the number of people attending, which means that fewer Virginians will have the opportunity for higher education unless the bonds are passed. He advised that passage of the bond referendum will enhance the economy and the future growth of the Commonwealth of Virginia.

Delegate A. Victor Thomas expressed concern with regard to funding for the Standards of Quality, because the State has not done its part, and legislators need to know the thinking of citizens of the Commonwealth of Virginia. He stated that the worst is yet to come in regard to Virginia's funding crisis and the Commonwealth of Virginia needs to take a close look at the way it conducts business. In regard to the request that the General Assembly should eliminate the distinction in taxing authority of Virginia's cities and counties, he called attention to the need for adjustments across the board, although he would have no problem in supporting the legislation. He also concurred in the statement that the General Assembly should not pass legislation that takes away local government authority over land use issues. He stated that it is critical that education bonds and park bonds be passed by the citizens of the Commonwealth on November 5 to provide much needed jobs.

Delegate Clifton A. Woodrum, III, advised that he appreciates the work of local government which is on the front lines of democracy every day. He stated that the problem rests in the fact that the Commonwealth of Virginia has a structure of government services that is not being supported by available revenue and the General Assembly must decide whether or not to downsize to match revenue or increase revenue to match services. He stated that the car tax relief is an appropriation of State revenues to open government; however, there is an inequity, geographically, when figures show that Loudon County receives \$196.00 per year and Roanoke City receives \$85.00 per year. He referred to his efforts last year to co-sponsor an amendment to the budget that would have taken the 70 per cent car tax back to 47.5 per cent, which failed both in Committee and on the floor of the House of Representatives. He called attention to the potential for further budget cuts at the 2003 Session of the General Assembly, and concurred in previous remarks regarding an increase in the tobacco tax and perhaps the alcohol tax.

Delegate Morgan Griffith advised that the current problems did not occur in the last two to three years, but came about over a period of decades. He stated that he did not believe that the General Assembly will cut funding for the Standards of Quality (SOQ), and the SOQ will be fully funded at some point in the future. He added that it is important to ensure that SOQ funding is not cut this year; whereupon, he referred to conversations with persons on the House of Representatives side who state that the SOQ is an area that will be taken off the table, which means that other items will be on the table in a larger percentage because the SOQ funding is expensive, especially with the increase in students and

escalating costs. With regard to eliminating the distinction in taxing authority between Virginia's cities and counties, he stated that there may need to be some compromise, but the counties who provide the service should be able to tax in the same manner as the cities. He noted that there may be some counties in Virginia that are not providing services and there should be some distinction, but specifically in regard to the cigarette tax, counties should be in the same position as cities. In regard to restricting local revenue sources, he stated that it is hoped that the General Assembly will take a hands off approach this year. He concurred in the suggestion that the General Assembly should require State agencies to use specific income data from towns when assessing grants in aid programs.

With regard to I-81, he stated that he supports a proposal which is currently on the table with regard to imposing tolls on trucks. He explained that it would be virtually impossible to obtain approval of a plan that will place a toll on all vehicles because of the necessity for toll booths and land for toll booths, which would call for expanding certain areas of I-81. Therefore, he stated that if there are to be tolls, trucks would be the practical way to go since they must be licensed by the State to be on the highways, and trucks could be equipped with a bar code attached to the vehicle to provide that when the vehicle passes underneath a scanner, the truck is scanned, thereby eliminating the need for a toll booth. He called attention to the importance of not delaying the timetable for review of proposals for Public Private Transportation Act funding on I-81, and advised that the Transportation Department has indicated a willingness to designate funding over and above the State's normal allotment for I-81 if there is a separate truck lane proposal, but the proposal must be selected by VDOT by mid February 2003, or as much as \$1 billion could be lost to another state. He noted that he does not favor passenger rail service because Virginia does not have the population to support it, and although the Roanoke Valley is significant in size in this part of the state, it is not a large enough hub to attract sufficient ridership. In regard to the Smart Road, he advised that if the Salem District is going to pay for the road, it should get the benefits, and currently, not one vehicle that is driven by one of our constituents can travel on the Smart Road; therefore, how can the General Assembly justify the money coming out of Salem District funds. He expressed concern over land use issues, and called attention to certain localities that do not wish to consider the issue, although it is hoped that the matter can be worked out before it reaches the General Assembly level. He stated that while there is a need for manufactured housing, particularly the nicer types of such housing, there are localities that do not wish to consider the issue, and problems could be created, thus, there may be a need to work out a compromise.

He referred to the Administrative Rules Commission which is charged with the responsibility of reviewing administrative rules and regulations, and for the first time in history, the legislature will hold questionable legislation in abeyance pending review by the legislative branch. As an example, he referred to a new regulation by the Department of Health in regard to septic tanks which would greatly impact a number of areas, particularly growth and development in the Smith Mountain Lake area, and could add as much as \$26,000.00 to the cost of a new home. He stated that local officials need to be aware of the Administrative Rules Commission in the event that there is specific legislation that local officials believe to be unreasonable.

The following general comments were made from the floor by local elected officials:

The last thing localities want is for the State to mandate the use of local taxes, such as the State did with regard to the personal property tax and the car tax.

There should not be a limit on the tobacco tax and counties should be allowed to tax in the same manner as cities.

A money plan is needed. It has been stated that there will not be an increase in taxes, therefore, some other type of revenue enhancement is needed. It could be economic development, although when an industry locates in a locality that will generate more jobs and tax money, the amount of funds received from the Governor's Enterprise Fund is shameful.

If the current financial intake, or cash flow, is not changed at the State level, nothing will change and the Commonwealth of Virginia will experience the same plight year after year.

The General Assembly is encouraged to identify more funds. If it is not to be in the form of a tax stream, the General Assembly should reach a consensus on identifying funds, such as tax breaks which are provided in surrounding states to attract new industry.

The car tax is failing, therefore, it should be eliminated.

On behalf of elected and administrative officials of the Regional Leadership Summit, Mr. Strickland expressed appreciation to Senator Trumbo and Senator Edwards and to Delegate Thomas, Delegate Woodrum and Delegate Griffith for taking time out of their busy schedules to meet with local elected and administrative officials.

There being no further business, the Roanoke City Council meeting was adjourned at 2:20 p.m.

A P P R O V E D

ATTEST:

City Clerk

Mayor